Taking a Micro-social Perspective of Impact of Peacebuilding Interventions on Rural Citizens

Case Study of a Liberian Community

Hannah Neumann*

Abstract

Top-down interventions in post-war countries not only impact on political structures and institutions; they also profoundly change the socio-economic landscape and culture, especially in case of long-term UN missions partly or fully taking over state authority. Such changes and their after-effects are explored in a micro-level case study of a rural community in Lofa County, Liberia. This case study retraces the strong promotion of liberal values, in an otherwise unstable post-war context that led to a hybridisation of public and private life, in which individuals struggle to make sense of their existence and identity. Democracy promotion, as it was encouraged and pursued in the Liberian case, endangers the informal power-sharing mechanisms many communities use and opens them up to new conflict spaces between generations. The strong promotion of a formal judicial system, concurring with the prevailing concepts of customary law, led to a decreasing sense of justice and a further weakening of social structure. The Liberian case provides explanations for striking statistical findings and analytical reports published lately that point to controversial developments within current peacebuilding interventions, such as a growing rejection of formal law, ineffective national and local governments and the evolution of alternative (and more relevant) decision-making processes and actors.

Keywords: Local Peacebuilding, UNMIL, Liberia, Conflict, Community, Qualitative Research.

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Introduction

Peacebuilding plays a major role in both, humanitarian UN-led interventions after the end of violent conflict and the many projects of international NGOs and government organisations implemented on the ground. Despite highly elaborated, professional and cost-intensive processes, the history of such interventions in intra-national and regional identity conflicts – the most prominent kind of conflict in the last 20 years – is disillusioning. The (partial) failures of recent peacebuilding operations make the dilemma of science, as well as practice, more and more obvious. Without a doubt, there are certain UN missions and related peacebuilding activities, such as the ones in Mozambique or in Sierra Leone, that can be evaluated as overall positive examples, but especially the interventions conducted within the last 10 years – Afghanistan, Congo, Sudan, Ivory Coast – have been more problematic.

Researchers and experts are consulted to make sense of this gap between high expectations and disillusioning realities, but so far have not found any convincing explanations. Peacebuilding – in practice as well as in research – finds itself at crossroads and one of the directions highly advocated for is that of a more locally and culturally-sensitive approach; an approach rooted in the cultures, traditions and rituals prevalent in the intervened societies.

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2 Minorities at Risk Project, http://www.cidcm.umd.edu/mar/

3 The distinction often made in literature between peacekeeping and peacebuilding has become an artificial one since UN missions are largely integrated missions with military and civilian staff. In recent discussions, Peacebuilding is seen as the collective framework under which development, governance and security can be brought together NUPI, ed., Enhancing the Peacebuilding Nexus: Concept Note (2011). The following article takes into consideration the UN mission in Liberia as well as related development efforts of UN agencies and other international donors.


approach is contested as in many cases it is the ancient traditions that have been attributed to the main causes of conflict, especially its violent escalation. But to take a stand in this discussion, new methodological approaches in such post-war contexts are necessary. The individuals and their local communities, in their daily struggles to reorganise their lives after the war, and their continuous attempts to make sense of the encompassing change they are facing need to be the focus of such research. In the case of an international intervention, the local population is not only facing a war to peace transition but in addition a massive intervention of international personnel, funds and concepts. The following paper stands in line with this aspiration and takes a rather unconventional methodological approach in the field of peacebuilding research. It does not focus on the national and institutional levels, with high-profile interviews, questionnaires and statistics, but adopts an ethnographic, qualitative and case study-based approach. It looks at the UN-led intervention in Liberia and the effects it had on the local population of a small village close to the Guinean boarder that was a central battleground in both escalations – between 1990 and 1997 and between 2000 and 2003. It describes, and thereby intends to build understanding about how multi-ethnic community members manage to live together again after violent escalations, and adapt to the new post-war peacebuilding environment introduced by external actors intervening in their daily lives. This village is by no means representative of Liberia as a whole. This study also does not claim to speak for the whole country. But the case illustrated here – combined with interviews and documents on the general situation in Liberia – points to central problems of peacebuilding approaches. It further provides some explanations to the question why, despite all the efforts made and money invested, Liberia is still far from being stable.

Traditional Research Approaches to Peacebuilding

Science has realised the failure of peacebuilding operations and predominantly focuses on giving explanations for such failure, as well as proposing approaches to improve operations. Explanations are based on a wide range of arguments, including the analysis of terms and mandates of specific missions, the analysis of effectiveness or appropriateness of a given

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6 Most often the term “post-conflict” is used when referring to the state of a nation after a negotiated ceasefire and the cessation of violent hostilities. But, if we understand conflict as an integral part of society, such a term is confusing, with further implications on various societal levels, as the case study on Liberia will show. Most conflicts are still prevalent in post-conflict countries, especially immediately after. The difference is, perhaps, they are no longer pursued through weapons. Therefore I will use the term “post-war” instead of the usual term “post-conflict”. “Post war” refers to a situation after a formal peace agreement where violent escalations have stopped by and large, but conflicts continue to exist either oppressed “for peace sake” or addressed by non-violent means.

7 This one case study is part of a bigger research project comparing two case studies in rather different settings (Liberia vs. Mindanao, Philippines). The research project is trying to generate general findings on how communities manage to live together after violent identity conflicts. The Liberian case study was supported by the German Foundation for Peace Research (DSF).

8 James Dobbins, “America’s Role in Nation-Building: From Germany to Iraq,” (RAND Corporation, 2003); Working Paper No. 1753; James Dobbins et al., The UN’s Role in Nation-Building: From Congo to Iraq (Santa
peacebuilding concept in specific situations\textsuperscript{9} or are based on a description of peacebuilding as co-opted negotiation processes between peacebuilders and local elites.\textsuperscript{10} The mainstream peacebuilding literature tends to be oriented towards elites, through rational choice approaches, pragmatism and the agendas of the intervening.\textsuperscript{11} In most scientific studies, peacebuilding is understood and conceptualised as a one-way process, initiated and implemented by the international community, led by neo-liberal values (such as free election, democracy and free markets) that are then criticised by the authors as being either wrong\textsuperscript{12} or ineffective.\textsuperscript{13} The international community is conceptualised as the makers, while local elites and citizens reduced to roles of either “willing adapters”, “spoilers” or “warlords”.\textsuperscript{14} Such a perspective ignores two crucial aspects central to understanding the effects of peacebuilding: (1) the perspective of the intervened and (2) the process of how peacebuilding actually looks when it happens.

Those are necessary perspectives, if we want to understand the many failures of current peacebuilding approaches. Ignoring the intervened, as mature subjects, ignores the peacebuilding potential within the intervened societies, and adds to the complexity accompanying external interventions.\textsuperscript{15} Rural areas are especially ignored by current peacebuilding practice as well as research. But it is often in those areas, far away from the national capitals, where conflicts escalate and finally impacts the intervention.

Most of the traditional, in many cases well received, studies do not make the necessary change in focus to understand the dynamics of peacebuilding on the ground: away from donors and stakeholder, activities and projects, institution, laws and governments, closer to the points of view of recipients and the developments they are facing, far beyond the metropolises and capitals. It is at this micro-social level that it becomes clear and empirically evident that individual concepts of society and strategies for the future on the ground are all but consistent with the neoliberal orders pursued and implemented by international interveners at the macro- and meso-political levels. Interventions into conflict-torn countries and regions, led by the UN or

\textsuperscript{11} Joel Winkler, The Reproduction of Peacebuilding Standards (2009), unpublished manuscript, FU Berlin
\textsuperscript{13} Paris, At War’s End. Building Peace after Civil Conflict
\textsuperscript{15} Michael Daxner, Interventionsgesellschaften in der Interventionspraxis (2008); Tagungsband: Folgekonflikte nach Militärgestützten Humanitären Interventionen, Potsdam 18.-19.04.2008
by International NGOs, provoke new conflicts by interfering in the daily lives of the local communities and their traditional conflict resolution mechanisms, thereby creating a sort of new and modified culture. An analytical perspective in which the single individual within his/her immediate context is still visible, allows to retrace and understand this new conflict potential in a way that is distinct from other studies that refer to diffuse “tensions” or “distortions”.

Towards a Micro-Social Orientation in Research

Such an approach opens up a magnitude of challenges: The usual approach, to look at statistical data, institutions or laws, or to talk to key officials does not work here. Reliable statistical data for such micro-level purposes does not exist. Institutions, if formal at all, rarely serve intended functions at the community level. National laws are seldom implemented, often local officials are not even aware of their existence. Officials that could be interviewed seldom ever visit these rural communities for more than handshakes. Besides, these mere empirical aspects, research focusing on these aspects would only add to the agenda of the international community, promoting census, building institutions, engineering laws and training officials. Therefore an ethnographic approach was needed that involved living with the rural communities and gathering as much information from as many diverse sources as possible for a clearer and holistic picture.

Such a qualitative research method is centered on the premise that the researcher might have a different understanding of the object of study than those he/she is studying. This is why the researcher should caution against making his own definition of social reality as the starting point for his theoretical and empirical analyses. It is, rather, his duty, to take the perspective of the original agents and see the world from their points of view. As many of these perspectives, from as sources as diverse as possible, are then combined and compared. This triangulation of perspectives is used to provide a comprehensive picture of the phenomenon under study; in this case the effects of peacebuilding interventions on a local community. These different perspectives are used to work towards a shared understanding of observations or interpretations by combining different ways in which the phenomenon is being seen.

approach is far more promising in order to understand why and how these communities interact, because their members act according to their own, individual and even more collective, definitions of the situation and experiences.

To gain such understanding, the research combines a number of methods, meeting the demands of triangulation, as well as taking into account the availability and content of documents from NGOs and the UN. These documents gain importance and value once combined with the materials collected by other researchers, statements from people who have participated in peacebuilding efforts and observations focusing on actual interactions between peacebuilders and the local population. Especially the participatory observation of the research team, living and interacting with the community served as a key resource to complement the existing research of international analysts with the perspective of the local resident.

Figure 1: Levels of analysis and methods used

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<thead>
<tr>
<th>societal context</th>
<th>organisation within the community</th>
<th>life within the community</th>
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<tbody>
<tr>
<td>sources: NGOs, scientists, media, government, administration, UN, army, rebels, police...</td>
<td>sources: elders, political and religious leaders, teachers, community workers, nurses...</td>
<td>sources off all sectors: women, youth, children, elders / famers, traders, employees...</td>
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<td>• document analyses</td>
<td>• key-informant interviews</td>
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The Case at Stake

The community of Dumai, which this case is about, was a playing field for all rebel movements, especially due to its location close to the Guinean border where the displaced sought refuge and attackers regrouped. It lies in Liberia, in the middle of West Africa, a region described as unstable until today.

The country of Liberia was founded in 1822 by freed US-American slaves and gained independence from the American Colonization Society in 1847. Of the, approximately, 3.3 million inhabitants living there today, 86% are Christian, 35% are members of different traditional religions and 10% Muslim. 16 ethnic groups are living in Liberia. The relocation of former slaves from the US was especially used to reduce tensions, following the abolition of slavery. But those freed slaves soon formed a national elite within Liberia, the so-called ‘Congoes’ or ‘Americo-Liberians’, suppressing the indigenous population, usually referred to as ‘tribes’. The country’s national history still portrays this suppression as the fight of the “pioneer fathers” against the

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22 Dumai is a name made up to replace the name of the original community to protect its residents. It is an artefact consisting of the two syllabus usually used by the Mandingo and Loma tribes to refer to their village – where the Mandingos use the ending du and the Loma use the ending mai; such as in Bakedu / Bakemai. The community was chosen after in-depth discussions with local NGOs and researchers working in and on Liberia; Felix Gerdes, Judy Smith-Höhn, Sven Hajberg, Tobias Pietz, Saah N’Tow, Debuy Sayndee and Thomas Jaye among others.

23 The American Colonization Society was a project of leading US American politicians established in 1816 with the aim to resettle freed Afro-American slaves in Africa. They bought land in what is today Liberia and administered it until 1847.

24 Traditional religion in the case of Liberia refers mostly to the secret societies, called Poro (for the male) and Sande (for the female). Although they are generally referred to as African Traditional Religion, they have a strong impact on local decision-making and inter-community organization. By some anthropologists the secret societies are described as the pendant to the Masonic Order common among the Americo-Liberians. See f.ex. J. Gus Liebenow, Liberia: The evolution of privilege, 1. publ., Africa in the modern world (Ithaca: Cornell Univ. Press, 1969); Warren L. D’Azevedo, “A Tribal Reaction to Nationalism. Part Two,” Liberian Studies Journal 2, no. 1 (1969).

25 There always is a problem with such numbers. The most recent statistics come from the Peacebuilding Data project Patrick Vinck, Phuong Pham and Tino Kreutzer, “Talking Peace: A population based survey on attitudes about security, dispute resolution and post-conflict reconstruction in Liberia,”. http://www.peacebuildingdata.org/sites/m/pdf/Liberia_2011_Talking_Peace.pdf (accessed December 5, 2011). In this research, religion was asked as an open-ended question. Many members of the African traditional religion (ATR) or secret societies are at the same time members of a Christian denomination in Liberia. Most of them see Christianity as their official religion but at the same time are strongly involved in traditional religious practices. This is why the numbers for ATR are much lower (3%) than in reality.


28 Although Liberia was a formal democracy, the right to vote, for example, was given to the indigenous communities only in 1945.
backward savages to whom the light of civilization needs to be brought. This ideology is also reflected in the coat of arms of Liberia. Its inscription “The Love of Liberty brought us here”, illustrated by a ship, only represents the history of those settlers coming from the US without any representation of the century-long history of the indigenous ahead of the settlers’ arrival.

This hegemony was interrupted by a successful violent coup by Samuel Doe in 1980, the first native-born president, whose time in office changed little in the economic and political structures. Ethnical fragmentation further aggravated the situation that finally led to the invasion by Charles Taylor’s NPFL and the beginning of the first civil war in 1989. This was brought to an end by the deployment of ECOWAS troops and the final election of Charles Taylor as president in 2001. The popular sentiment was that Taylor was only elected president because the people were afraid he would start another war right away if denied full victory, but this perspective is not sufficient. The same was true for most other factions and leaders as the later invasion of LURD shows. More importantly, Taylor’s movement assembled a number of ethnic factions; he was present in the rural regions and controlled vast natural resources. But during his presidency, he never managed to stabilise the situation. His victory did not lead to any changes in the distribution of resources or conduction of office. Taylor, just as his predecessors weakened bureaucratic structures and administrative capacities to maintain his rule and expand his influence. In 2000 new rebel movements formed, destabilising the situation not only in Liberia, but also in neighbouring Sierra Leone, Guinea and Ivory Coast. The second war was brought to an end by UN and ECOWAS deployment of military personnel in 2003 and national elections in 2005. The status quo can be described as stable but fragile. A second round of national elections was held in 2011. It was highly divisive, but only minor escalations occurred.
UNMIL troops are still present and first national activities towards reconciliation (such as the Truth and Reconciliation Commission) have been implemented.\(^{40}\)

The community, which was chosen in Liberia, is located in Voinjama District, Lofa County, close to the Guinean boarder. Lofa and especially the Voinjama region were first and strongest hit by the violent escalation in 2001. During dry season, Dumai can be reached by motorbike, in rainy season one often needs to hike two to three hours from there to the close by town of Voinjama. Voinjama is the county capital, connected to Monrovia by a mud road during dry season and often cutoff from the capital in rainy season.\(^{41}\) Around 50% of the communities' residents are members of the local Poro and Sande societies, close to 40% are Muslim, and a few are Christian; some follow both traditional and Christian practices. In terms of ethnicity, they are predominantly Loma, Mandingos and a few Kissi. Living conditions are poor. Electricity is available through generators (of which the community owns only two) and water can be collected from few pumps that are often dry. People live in simple mud houses covered by zinc provided by NGOs, with up to five of them located around a central fire place.

The conflict that the community was facing in the late 90s as well as in early 2000s has its roots in the presidency of Doe. The Mandingos, who now make up around half of the population of Dumai, are traders residing all over West Africa. When they came to Liberia, they were accepted as strangers; usually staying for a few years, and given community land so that they could build houses and start some agricultural work. In the case of Dumai, it was the Loma who hosted the Mandingo strangers and provided them, as their tradition obliges them to, with land as well as women. This relationship symbolically made the Mandingo man a nephew of the Loma (as he was the one marrying the latter’s daughter), but it changed during the presidency of Doe. Mandingos, as the suppliers of many goods, gained momentum and finally were given full citizenship by Doe; making them legal and definite owners of the land initially only lent to them. Due to their close link to Doe, they became one of the tribes. Taylors NPFL was fighting strongest and had to leave the country when his troops reached the Voinjama region. Most Mandingos fled to Guinea where they formed their own armed movement, LURD, as a means to revenge and regain their regional strongholds from Taylor. Their attacks in late 2000 started the second war. These events around the end of the second civil war brought about deep grievances between the groups that are still obvious today.

“What my friend is saying, some Mandingo people have problems and some Loma people have problems too. We were all friendly before the war, but after the war, Loma people are living by themselves and the Mandingo people also are by themselves (Mandingo respondent in an focus-group discussion among female youth, 2010)"

The Mandingos, who closely associated the Lomas with Taylors’ NPFL and the suffering they had to undergo under his ruling, escalated the tribal conflict to the religious level by

\(^{40}\)Richards et al., *Community Cohesion in Liberia: A Post-War Rapid Social Assessment*

\(^{41}\)Before the latest road reconstruction in 2011, one needed to travel approximately 13 hours to Monrovia in dry season. Now the time has been reduced down to 7 hours. UN provides a helicopter shuttle service to its staff and authorized NGO and government personal twice a week, depending on weather conditions.
desecrating many traditional bushes\textsuperscript{42} on their way back into Liberia from Guinea and Sierra Leone. Many cases were reported, where ados (small sacred statues) and masks had been removed from their sacred places and publically displayed, removing their spiritual powers in the eyes of traditional members.

The Mandingos needed to relativize their strong position during the peace talks in 2003. The continuous process of displacement, return, and the associated land grabbing and re-grabbing led to a diffuse situation in the post-war setting. Nevertheless, Lofa is generally described as stable, although some religious conflict re-escalated in early 2010 (in Konya and Voinjama, not in Dumai). Three aspects were central to this stability and are explored in the rest of the paper: (1) how to make decisions in a multiethnic context, (2) how to deal with criminal offences and mediate in conflicting cases between members from different tribes and (3) how to intervene when religious practices interfere or discriminate against minorities. In the language of UN policy guidelines, this would be the areas of democratisation, rule of law and religious freedom and human rights.

\section*{Democratisation}

In a community decisions have to be made. Typical decisions include the organisation of community labour (road brushing, repair of bridges, etc.), the division of labour between the generations (farm work, weaving, oil production, etc.), support towards school feeding (how much oil and rice to provide per family), decision where new houses can be built and families located, or the organisation of joint festivities. These decisions are still made widely based on traditional approaches. Liberia as a nation has a long history of formal democracy as introduced by the settlers from the US and as included in the constitution when independence was given to the country in 1847. But democracy was deficient in two ways: it existed only in Monrovia and a few other coastal cities and it was only democratic for the few settlers with democratic, especially voting, rights. These settlers made up the only political party in the country and they ruled the natives consecutively for more than a century. The state has been and continuous to be heavily centralised with the main power in the presidency and the main focus of political activity on the national level. Until today, poor infrastructure and missing communication links between the capital and the more remote counties is core to this problem. Often, information about new national policies or laws is unknown in the provinces. Many of the local ministries don’t even receive work plans from their national counterparts.\textsuperscript{43} The system of appointment of county and district officials through the president has further contributed to centralisation. The

\textsuperscript{42} The members of the secret societies practice most of their rituals and activities in their sacred bushes. These are specific places in the jungle where their sacred symbols are placed and most of their venues are being held. These places are forbidden to non-initiates.

\textsuperscript{43} This information has been gathered during an additional fieldwork in 2011 as part of the research project “Contextualizing Peacebuilding to local circumstances”, funded by the Norwegian Ministry of Norwegian Affairs and implemented through the Norwegian Institute of International Affairs.
Superintendents are perceived by the population as representatives of the national level in the counties, but not as representatives of the county people. Appointment is practised down to the town chief level, with the town chief being appointed by the Superintendent, but the current practice is participatory, with the community usually selecting one candidate amongst themselves who is then formally appointed.

“The appointment is done through the agreement of town people. Like they came and asked in the Mandingo quarter who you want to be the assistant town chief and we said Mr. Kamara When they go back to Voinjama they send mandate that Mr. Kamara is the assistant town chief.” (Mandingo teacher, 2010)

In Lofa County, the town chief traditionally comes from the descendants of the village founder. As the Loma claim to be the founders of Dumai, the town chiefs have come from this group till the beginning of the second war. In the post-war period, the first town chief came from the Mandingos group as they were the first to return after the war. After he deceased, his assistant, a Loma, was appointed as town chief. Today, the appointment of the town chief is contested. While the Loma claim to be the founders of the village and therefore rightful heirs to town chiefdom, the Mandingos claim to be the first ones to come back after the war and thus should at least have the right to leadership in alternation.

“Its Loma people accepted the Mandingo to come settle with them. For that reason only Loma people can always become the town chief. (…) Because of the revolution we allowed them to be assistant town chief because we don’t want no palava. If you don’t give them position any government work they will not do some.” (Loma town chief, 2010)

Another reason for the dispute around the town chief appointment is based on the traditional religion and its practices of secrecy. Most local town chiefs perform not only decision-making functions, but are at the same time religious, cultural, judicial and political leaders. Though the Mandingos practised the traditional religion in earlier times, they refuse to continue doing so. But much of the discussions and decisions, at least of the Loma population, take place within their bushes, forbidden to non-members.

“If you aren’t part of the Poro society, even they can appoint you as leader, you not receive no regard. No respect. They say if the town chief is not member, the devil has no one to report to.” (Mandingo respondent in a focus-group discussion among male elders, 2010)

Further, many of the qualities central to a leader, according to the Loma, are vested in their religious leaders. Therefore the Lomas insist that a town chief must be someone who is also a religious leader (of the traditional religion). So far, this has been accepted by the Mandingo but there is latent conflict around it.

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The town chief is assisted by a community council, consisting of women, men and youth leaders as well as deputies; one for each quarter (there are four quarters). Two of the quarters are Mandingo and the other two are Loma quarters, the main decision makers are six Loma and six Mandingo villagers in the community council. In minor cases only one representative from each sector and tribe is chosen, reducing the number to a total of six people. The most important rank is that of the town chief, followed by his deputy. Women and youth leaders are then consulted according to the issue – whether it touches the interest of youth, women, or both. Usually those leaders, especially women and men leaders are local elders. Age is still the main qualification for a leader as it is traditionally connected to wisdom, maturity and experience. This does not mean that the eldest person in the village automatically becomes town chief or deputy town chief, but it means that they need to be of a certain age to get appointed by other leaders. This age-based hierarchy now becomes more and more contested by the younger members (youth in the Liberian context indicate those in the age group 35-40 years), especially due to their experience of power during the war. This adds the dimension of age to the on-going ethnic conflict when it comes to decision making and appointment within the community, as described by many of the elders:

“During our grandfathers and fathers days, this town was very peaceful. They use to do all their activities with no problems, respect us and what they could do to protect us. At that time I served as youth leader for over 20 years. Nowadays we are confused. The kind of unity that was amongst us. After the war, the children have developed different ways of living. That is, they can’t understand us, we, the parents. Even loma children can’t listen to their parents. Then we began to have problems because no understanding” (Mandingo Elder, 2010)

The time that many community members spent – either as fighters or evacuees – away from their traditional community context has led to a loosening of the traditional structure. The case of Dumai and further research in other parts of Liberia shows that communities need to find themselves new structures – either based on tradition where many positions need to be newly appointed, or as many young people advocate for, different structure providing them with more power and rights. Meanwhile, the Dumai elders are still struggling to find and define their post-war roles within the communities, they also have to fight against the demands of the youth and their desire for a bigger share of power. Advised by UN, the Liberian government is now pushing for a decentralisation strategy, continuously introducing democratic elections for all posts down to the community levels. This approach is contested because: firstly, the strategy marginalises or even excludes minorities from the political processes and thereby foregoes traditional consociational mechanisms, and secondly, it destabilises the traditional role of the elders within the community. While the elders are struggling to re-establish pre-war structures, the youth are more amenable to structures and frameworks introduced by the international

organisations. They might use democratic elections as a way to reduce the power of the elders. Democracies are competitive with little respect for the traditional role of elders or the consociational approaches many communities use in appointing town and sectoral leadership.

Projections on what will happen when town chief elections will be held nationwide can be evidence based speculations at best. Based on the data gathered in Dumai and further research on community structures in other parts of Liberia, it is to be expected that election campaigns on local level would run along ethnic lines. People are still living in separate quarters and centred on their family and tribe, much more than on their county or nation. Some of these tribal communities have rebuilt themselves on fragile consensus which could be vulnerable to competitive elections either during election campaigns or after elections. Elections, as opposed to appointments, have no tradition in the rural areas and democracy as such is still perceived as an alien concept by many.

“I have risen that concern from the much more conflict sensitive lens, looking at the national decentralization policy developed. It calls for elections of local officers across the country and now if you go by appointment, it comes from the heads or you can engage the local people who nominate two or three names you select some one from there who will be acceptable to everybody. […] If you do appointment, you appoint the other tribes and another in the position. But if you do election (…) you will always see that the dominant tribe will take all the positions, and the minority tribe will time to time be marginalized.” (Wilfried Johnson, Head of Peacebuilding Office, Ministry of Internal Affairs, 2010)

In Dumai, a collective narrative on who has been in the village first has not yet been established. The question whether a Mandingo could actually become a town chief has not yet been decided upon traditional premises. An elected town chief, not accepted by nearly half of the village would not be able to speak for the whole community as the current town chief does. The consensual approach of having the town chief coming from one tribe, and his deputy from the other might no longer work out, marginalising one of the two groups; leading to further conflict.

Elders who are still trying to find their roles within a post-war setting might be replaced through the democratic process by local youth leaders much more accustomed to competitive mobilising approaches but far less experienced in age in leading a community. Although formally elected, they may not have the backing of the whole community leading to parallel structures within the community: the traditional leaders and higher authorities no longer accepted by the constitution on the one side and the elected younger leaders not accepted by large parts of the community on the other.

“So it will be a problem if you start having elections. You will get a young guy who knows to manipulate people and give them some funds. So you elected, but you also broken the traditional hierarchy and the system that says you move from one level to another. It is gonna change and it is gonna be a great problem.” (Wilfried Johnson, Head of Peacebuilding Office, Ministry of Internal Affairs, 2010)

46 See footnote 45
Instead of improving decision-making capacities and strengthening unity, elections would create competing institutions at the community level and weaken the power of the traditional authorities; without establishing functioning alternatives.

Establishment of Rule of Law

The promotion of the rule of law by international interventions needs further investigation. Looking at community level, violations of the law occurs along the lines of avoiding community work, bribery, adultery, assault or theft, to name a few. As in the case of decision making, the question here is also about who is in charge to rule over such cases and according to which processes and rules.47 Traditionally, communities rely on a customary system partly rooted in tribal rituals, partly in their religious practices. Customary law was widely practiced among and between the different tribes even before the arrival of the American settlers. Today, the country has a dual justice system with a formal court hierarchy under the judiciary and a system of customary courts authorised under the Hinterland Regulations.

The system of customary law has never been written down and might even differ from community to community, which makes it hard for outsiders to understand its principles and processes and therefore, to connect it to the westerners’ notion of law as something formal and written that everybody can refer to. In the case of customary law, the process is one of arbitration, mediation and compromise. The judges investigate the facts, deliver a judgement and sanction the parties at fault. In this process, the central task is to bring the case to a “compromise”, which involves finding a solution that satisfies both parties involved. This requires chiefs to invest much of their work into sitting down with the two parties and their families in order to influence them towards accepting his sentence or come up with an alternative joint agreement. Usually the main judge is the town chief assisted by his deputy and some of the sectoral leaders or a council of elders. They constitute a well-established hierarchy, in most cases accepted as state-recognised customary courts.

For the community members, customary law serves four main purposes: (1) handling cases amongst themselves within a short time without investing much resources, (2) the traditional system includes restorative elements working towards reconciliation between the opposing parties, (3) the community members themselves can recreate harmony within their village, a central defining element of traditional communities and (4) customary law is perceived as fairer because it doesn’t focus on a single event or on a single person but includes the communities’ history as well as the social environment of the offender and the victim.

47 An in-depth study by the USIP has touched upon many of these aspects cross-regionally and produced a valuable resource in this area; see Deborah H. Isser, Stephen C. Lubkemann and Saah N’Tow, “Looking for Justice: Liberian Experiences with and Perceptions of Local Justice Options” http://www.usip.org/files/resources/liberian_justice_pw63.pdf
(1) The general entry and process fees in the customary justice system are lower than those in the formal system; sometimes they are even free. In Dumai, villagers usually comply with a catalogue of fees and their purposes. But the main argument for a preference for customary law in Dumai is the fact that cases are handled immediately, trials usually have a short duration and are dealt with within the village, reducing the investment of both time and resources. In a micro-sociological perspective, the implications of these findings become obvious.

“If conflict occurred between the two groups, we usually collect our elders from the both sides including our chiefs to sit down together to make sure to talk to the parties involved in the conflict to satisfy them not to carry the case to Voinjama. Once the youths from the Mandingo and Loma quarters had some misunderstanding between them and someone carried the complaint to Voinjama unknown to us, we saw police officers here and we, the women, told them to give us the case so that we could settle it and they did it, we were able to handle it. (...) We appreciate resolving our own problems instead going to Voinjama for the fact that we are farmers. If we don’t do your farm work, you will suffer. (...) Taking that person to Voinjama is not right.” (Mandingo women leader, 2010)

Taking a case to formal court, for the residents of Dumai, means travelling to Voinjama – the county capital. Everyone involved in the case – victim, offender, witnesses – would have to go to Voinjama for the trial – a three-hour walk one way. This would a day of work on their fields lost. The person who files the case (usually the victim) will also have to bear the expenses of everyone involved in the trial until a final verdict is provided – without knowing if he/she might ever be paid back. And if the trial drags on, this could be quite expensive for most people.

(2) The overriding goal of customary law is to restore harmony within the community and to work towards reconciliation. This included ensuring that incorrect behaviour is not repeated, guilt is publically admitted and the harm done is repaired in one way or another, before all parties join together in a reconciliatory ritual. In formal law, only the first of these four aspects are addressed. If someone is sent to prison, he or she needs to neither admit guilt nor repair the harm done; drastically diminishing the social function judicial processes can serve within a community. The role of a judge in a formal court ends with delivering the verdict leaving those involved as well as other community members to deal with the verdict as well as what was said and done during the trial. Many villagers of Dumai recollected the only two cases that were taken to the formal court in Voinjama as very different from those solved by their council of elders. The parties involved had for a long time been in distress afterwards, because their grievances had never been fully addressed, nor were they given a forum to reconcile. One of the two cases was later referred back to the communities’ council of elders by the formal court after the women of the village had assured the judge that they will calm the youth down. In the village, it had been settled on a compromise and the parties finally reconciled. These acts of reconciliation are not just a public façade but people believe that they can prevent socio-spiritual danger and insecurity in the community.

48 Such rituals include the sharing of a kola nut, the knocking of glasses together, or the placing of hands on the back of a child.
(3) Many traditional communities measure the strength of their functionality against their ability to solve their very own conflicts. They believe that this increases community cohesion and reinforces internal ties. The process of a trial in customary law reinforces these ties. Decisions usually are a product of an open and public process that establishes consensus among leading community members and family heads. Chiefs rarely make decisions of their own accord. They, primarily, counsel community elders, representatives of the groups involved (youth, women etc.) or elder members of the contending parties. They also counsel those who are known as “expert witnesses,” mostly provided by knowledgeable elders who can provide deeper insights into the social background or into substantive questions on the application and borders of customary law. The quick resolution of a case by the parties involved reinforces the social pressure to comply, in turn strengthening their leadership roles within the community. On the other hand, a failure to come up with a solution is a public acceptance of failure as a traditional leader. This increases the likelihood of a consensus, though families might be in distress and ethnic groups not fully reconciled.

(4) The formal judicial system looks into the offence at stake and the participants to be heard are limited to either experts or those directly involved and witnesses. The system of customary law takes the broader social contexts into account. Customary laws do not see events in isolation or persons, independent of their social backgrounds. Most Liberians accept and share this holistic and communalistic understanding. Customary law deals with more fundamental issues and social factors than the formal system. This makes it necessary for a judge to have a deep understanding of the socio-cultural and historical elements of a community, a necessity a judge in a formal court often fails to fulfil. Verdicts delivered based only on a limited account of the single event, without taking into consideration the broader context and social background of the offence are generally perceived as uninformed, unfair and therefore morally less binding.

All these factors increase the local populations’ compliance with the verdicts of customary courts and make them even used in cases that exceed the constitutional frame. According to the Rules and Regulations of the Hinterland, only minor cases can be dealt with through the customary approach. In reality, even personal injury and sexual assault are dealt with through the customary approach. In the case of murder, the formal system is consulted in most cases, but these trials are accompanied by traditional processes and ceremonies, often reconciling the parties before a legal process has even started.49

Throughout the war (and in some cases even before the war) many traditional communities split into smaller groups and cases became more complicated, overstressing the capacities and spheres of influence of local elders. The formal system set up with the help of the international community lacks qualified judges,50 financial resources to support poorer people to

49 Often these legal processes are even perceived as endangering the reconciliation reached through traditional means.
50 Only very few judges have a law degree. The district courts often don’t even have printed versions of the legal codes and many of the local judges are illiterate.
pursue their cases free of charge and mechanisms to deal with issues important to many Liberians, such as cases of witchcraft. Establishing such a deficient system nationwide with the right and duty to handle nearly all cases of crime is a strain on its capacities. Promoting it as “the better” one further weakens the traditional system. Liberians are now left without a proper working judiciary – the formal courts has neither enough resources nor qualified personnel and the customary system can only adequately deal with a limited number of cases and is weakened by national (and international) policy.

“Preliminary analysis found that 89% of the disputes that were taken to a third party for resolution (…) were taken to a customary authority, whereas only 11% were taken to a formal institution.” This state of affairs can be expected to continue for the next few years at least considering the poor evaluation of the formal judicial system and its bad reputation among rural Liberians. A national formal judicial system capable of dealing with a large number of cases does not seem to be possible in the foreseeable future. Meanwhile, the reality of two parallel judicial systems does not seem to be an adequate option either. What occurs in most severe cases is “a deliberate use of opportunistic forum shopping, in which litigants choose the formal system primarily if they believe it will give them an unfair advantage over their opponent”. Weakening the traditional system without establishing a working formal system led to an overall decrease in justice. According to interview partners’, Benjamin de Carvalho and Niels Schia, study on gender based violence in Liberia, “nobody gets justice here” and “the culture of impunity makes people completely helpless”.

Handling Conflict of Religious Practices

A different approach was used in the cases of conflict occurring around the performance of religious practices. These have been a source of conflict even before the war and growing in intensity during the war, where religious affiliations were used to mobilise kin groups and humiliate opposing groups. Religion is one of the key elements of each Liberian’s life. As much as Liberians might differ in the religion they choose and how they practise it, there are very few people that get along without any religious affiliation and belief. In most of rural Liberia, especially in Lofa County, and such is the case in Dumai, the majority of the population are followers of what is usually referred to as the traditional African religion. This religion is by no

51 A thorough assessment of the Liberian formal justice system has been provided in 2006 by International Crisis Group, “Liberia: Resurrecting the Justice System,” [International Crisis Group, 2006]; Africa Report No. 107. Despite continuous efforts on behalf of UNMIL and other donors, little has changed in the rural parts of Liberia.
54 Schia and de Carvalho, “Nobody Gets Justice Here!” title and p.14
means consistent across Africa, but have common features, such as secret practices and norms shared only with members, performance of their ceremonies in a sacred bush area, division of bush areas between men women (Poro and Sande), strong ties with their ancestors and the use of masks in their ceremonies to transform into different identities. The element of secrecy is especially significant and problematic as it strongly excludes non-members from understanding the religion and accepting specific rituals.

The Mandingos, on the other hand, are usually followers of Islam. Some of them had joined the traditional religion together with their Muslim faith, but this idea of binary ties is not accepted nowadays. They feel intimidated and constrained by the practices of the Poro society, especially the closed-door ceremony. Another issue, linked partly to religion, is that of marriage patterns. Many Mandingo men are married to Loma women, but not many Mandingo women are married to Loma men. This made the Loma insecure as they felt that the Mandingo are not only taking their land, but their women as well. On the other hand, the Mandingo do not accept the traditional religion as legitimate and refuse to give their daughters to non-believers. They prefer marrying their daughters to Christian (Loma) men. Religion, therefore, is not only seen as a root cause of the war, but also as a root cause of many daily and local ongoing conflicts.

“That traditional person, I will automatically refuse that person for the fact that he is not a Christian and not a Muslim. I will not accept a daughter or son that is not part of religion. The person not marry my son or daughter.” (Imam of Dumai, 2010)

The international community has no clear policy on such local issues. This left room for the implementation of national and local approaches to resolve issues in a pragmatic manner in the case of resurfacing and older conflicts. Religious leaders on all sides have been included in processes that make use of traditional rituals and symbols (such as pouring cold water or sharing a cola nut) and follow native mechanisms of decision-making and reconciliation. To exemplify how pragmatic, yet respectful to tradition, such processes are, the example of the closed-door ceremony serves well. As the Mandingo were no longer members of the secret society, they could never know in advance when such ceremonies could happen, restricting their freedom of movement.

“All that happened before the war, after all that we were still living peacefully. but when that war erupted in that country and their action that happened additionally to that, we said the devil is destructive to us, we will no more go inside when they close door.” (Mandingo elder, 2010)

55 During the closed-door ceremony, the devil (meaning members of the poro society wearing their masks) roams around the village. Non-members are not allowed to see this devil, which is why they all have to remain indoors and leave their doors closed. This hinders the usual business of other villagers.

56 In the traditional Liberian setting the wife-giver (in this case the Loma) becomes the uncle of the wife-receiver (in this case the Mandingo). This asymmetrical relationship is passed on a across generations, making any Loma of the subsequent generations the symbolic uncle of the Mandingo. The Mandingos accuse the Loma of having broken this bond by supporting Taylors troops and deny the responsibilities and subordination coming with this asymmetrical relationship. The Loma in turn started to question the asymmetrical marriage pattern.
Although the ceremonial devil usually appears once or twice a year, a permanent threat troubled them and they refused to go indoors. In this situation, the religious mediation council devised a pragmatic solution restricting the time for such ceremonies between midnight and three in the morning; when Muslims need not go to the mosque or farmers to his fields.

A similar pragmatic solution was devised in the re-location of the traditional bushes. As the communities have grown over the years, houses have increasingly been built near the traditional bushes. In the case of Dumai, the Mandingo quarter is only a few meters from the Loma’s secret Sande bush. The Sande women feel threatened by this proximity. The Mandingos refer to a customary law that traditional bushes have to be at least three kilometres away from the village, in the jungle. As this is a common problem in the region, a traditional council developed a traditional ceremony through which such bushes can be relocated without desecrating their sanctity. This relocation ceremony will be performed by one of the national leaders of the traditional religion.

As these two examples have shown, there are working bodies that can deal with such issues and resolve them in a pragmatic fashion. These bodies intervene based on local and regional structures and through traditional leaders. They are often advised by international organisations, but ownership in these cases truly is with the communities, maybe because the international community simply has no expertise in those areas. The traditional religion with its diverse practices across the country is now being organised and institutionalised within the Ministry of Internal Affairs. The Minister for Culture is the national head of the traditional religion, and works closely with the traditional council in Monrovia. The traditional council of Monrovia is constituted by national-level representatives from different tribes and their respective traditional religions. In order to institutionalise this system, an overall hierarchy and organisation is currently being developed within the Ministry of Cultural Affairs, roughly defining what traditional religion is, how it should be represented and how religious conflicts should generally be resolved. This does not impinge on the element of secrecy of the traditional religion. However, it provides contact persons for other groups and reduces some of the mystery and misunderstandings surrounding traditional religion, especially in the countryside. This may not prevent the emergence or escalation of religious conflict but it puts in place structures to handle and resolve such conflicts.

Conclusion

Toolkit solutions for Liberian problems, as put forward by the international community, in the areas of democracy and rule of law have only had minor successes and so far have not reached the rural areas. To the extent that international peacebuilding interventions have reached the rural areas, they have created more confusion in decision-making, in legislative, executive and judicial matters. This can be attributed to two reasons: (1) the peacebuilding concepts themselves were not fully suited for the Liberian context and (2) their implementation was deficient in financial resources and qualified leaders to fully reach the rural and remote areas. Instead of using existing potential and developing mechanisms to improve capacities and
adapt them to the changed post-war setting, the overall policy was to replace traditional structures and introduce western concepts.

The rural community-level perspective explains, to some extent, the reasons behind the failure of peacebuilding approaches. Peace was declared at the national level, from one day to the next, but conflicts within the communities did not disappear. Little has changed in Dumai since the signing of a peace accord in Accra. Even today, many Liberians struggle to make sense of what happened to them in those 15 years of civil war and displacement and since their return. Elders are struggling to rebuild their community and integrate all those returning – either as former combatants or refugees. They are struggling to redefine their role in a changed setting and to redefine their relationship with other ethnic groups they were fighting during the war. The traditional concepts the elders are familiar with and rely on are being continuously delegitimised and replaced by the international community with new ones, alien to them. On the other hand, the youth who have grown up during the war, are more accustomed to the changing circumstances and have adapted easily. This changes the old power balance because of external influences, not internal evolution. Traditional structures have been weakened through the war and the involvement of external organisations. Meanwhile, the new structures have created environments of instability, insecurity and a power vacuum that the international community tried so hard to avoid.

The instances of handling of issues around religious practices provides a counter example of how local, regional and national strategies based on tradition, coupled with modern elements, could actually positively and beneficially evolve, if provided the space and recognised and supported by external organisations. There is widespread potential to deal with daily conflict and people in the countryside are especially willing to prevent violent escalations. They have suffered most from the war and have no motivation to return to the refugee camps. The peacekeeping forces managed to create a situation secure enough to leave room for joint solutions. Strengthening, promoting and consulting local and national authorities and approaches might be one way to overcome the hybridisation generated in the fields of democratisation and rule of law. Yet the international community continues to rely too heavily on state authorities. Broader inclusion of Civil Society leaders and their initiatives would be necessary as many Liberians still perceive of the state as oppressor and enemy, and a number of national and local officials still see their political position as an opportunity for personal enrichment. UNMIL is in its draw-down phase. Alternative structures watching over and supporting the national and local authorities need to be strengthened to ensure sustainability.

The case study of Dumai reveals the problems external interventions can create in a country. The UN and INGOs have done valuable work to stop the fighting, to rebuild

57 Sawyer, Beyond plunder; Amos Sawyer and Louise Andersen, Democratic governance in post-conflict Liberia: An interview with Dr. Amos Sawyer (Copenhagen, Denmark: Danish Institute for International Studies, 2007), http://www.worldcat.org/oclc/212162802.

infrastructure, to stabilise the security situation and to provide relief goods and Liberians are aware of that. But the problems come, when toolkit solutions are implemented on a large scale without thoroughly examining existing structures, concepts and traditions. These only become obvious, when researched through a micro-sociological perspective – focusing on what is there rather than on what should be there.