Portland State University

PDXScholar

Dissertations and Theses

Dissertations and Theses

8-27-1973

The sasswood ordeal of the west Atlantic tribes of Sierra Leone and Liberia: an ethnohistoriographic survey

Sarah Louise Davies
Portland State University

Follow this and additional works at: https://pdxscholar.library.pdx.edu/open_access_etds

Part of the [African Studies Commons](#), and the [Social and Cultural Anthropology Commons](#)

Let us know how access to this document benefits you.

Recommended Citation

Davies, Sarah Louise, "The sasswood ordeal of the west Atlantic tribes of Sierra Leone and Liberia: an ethnohistoriographic survey" (1973). *Dissertations and Theses*. Paper 1675.

<https://doi.org/10.15760/etd.1674>

This Thesis is brought to you for free and open access. It has been accepted for inclusion in Dissertations and Theses by an authorized administrator of PDXScholar. Please contact us if we can make this document more accessible: pdxscholar@pdx.edu.

AN ABSTRACT OF THE THESIS OF Sarah Louise Davies for the Master of Arts
in Anthropology presented August 27, 1973.

Title: The Sasswood Ordeal of the West Atlantic Tribes of Sierra
 Leone and Liberia: An Ethnohistoriographic Survey

APPROVED BY MEMBERS OF THE THESIS COMMITTEE:

John H. Atherton, Chairman

Shirley M. Kennedy

Joe E. Pierce

Inno Ukaejé

The sasswood ordeal of poison presents a divinatory ritual
which has been used in criminal cases by the traditional African of
Sierra Leone and Liberia. For at least six hundred years, the peoples
of these present countries have imposed this strictest of ordeals on

their moral transgressors; and the practice has survived, despite the protestations of nineteenth-century missionaries and the encroachment of the western world.

The investigation of the historical evidence of the sasswood ordeal among the West Atlantic tribes of Africa has three basic purposes. First, because of the paucity of interpretive data on the sasswood ordeal, the primary purpose of the thesis has been to more clearly delineate the meaning, characteristics, and functions of this poison ordeal as well as the swearing of oaths among the peoples of Sierra Leone and Liberia by amalgamating historical and more contemporaneous evidence. To this end, the distribution of the ordeal was considered; and descriptions were made of the various characteristics of the trait-complex--the poison's action, the ritual and ceremonial aspects, the sasswood specialist, the accusations made in connection with the ordeal as well as indigenous myths of origin of the ordeal. Intracultural correlations were then presented to demonstrate the interdigitation of the elements in a culture in relation to the ordeal. Finally, some functions, other than the obvious guilt-determining aspect, were presented to demonstrate the various ways in which it had been used historically.

A second purpose of this thesis was to demonstrate the intrinsically conservative qualities of the ordeal as an aspect of religion and law. By assessing the impact of specific historical influences in the region of the West Atlantic tribes, such as Islam, colonialism, slavery, and urbanization, it was shown that no significant change had been witnessed through the six-hundred-year period of the historical record. In concluding this aspect, it was noted that certain "weaknesses" in the

historical record--such as its being "piecemeal" and recorded only infrequently--caused problems in interpreting what appeared to be an intrinsically conservative nature of the sasswood ordeal.

A third purpose, related to the second, was the application and assessment of "ethnohistoriographic" techniques, that is, those specific methods of historical scholarship utilized by the ethnographer in investigating past cultures. The limits of the use of the ethnohistoriographic techniques included observational bias (which was readily accountable, dealing as it did with hyperbole), the preoccupation with "sensational" data (which provided disparities, over-emphases in the historical record), as well as political motivations such that national prejudice frequently determined the "interpretation" placed on the ordeal. In addition, it was noted that because the sasswood ordeal may be classified as "esoterica," the record for this practice was generally spotty; and this fact affected interpretations on the actual change manifested in the trait-complex.

The main contribution made by this study has been to afford future readers with a composite and relatively complete source of information on one specific type of poison ordeal practiced among the West Atlantic tribes of Sierra Leone and Liberia.

THE SASSWOOD ORDEAL OF THE WEST ATLANTIC TRIBES
OF SIERRA LEONE AND LIBERIA:
AN ETHNHISTORIOGRAPHIC SURVEY

by
SARAH LOUISE DAVIES

A thesis submitted in partial fulfillment of the
requirements for the degree of

MASTER OF ARTS

in
ANTHROPOLOGY

Portland State University
1973

For

Simon,

a brazen little man who knows

and

M.H.,

his vigor, contagious intensity,

and insatiable curiosity,

his empathy and gentility

TO THE OFFICE OF GRADUATE STUDIES AND RESEARCH:

The members of the Committee approve the thesis of
Sarah Louise Davies presented August 27, 1973.

John H. Atherton, Chairman

Shirley M. Kennedy

Joe E. Pierce

Inno Ukaeje

APPROVED:

Thomas Newman, Head, Department of Anthropology

David T. Clark, Dean, Graduate Studies and Research

December 28, 1973

ACKNOWLEDGEMENTS

Perhaps more than any one event, I would like to acknowledge as the start of all this, 2:00 PM, September 28, 1965, and all that occurred at that time (and after).

Special note and thanks should be given for the consistent kindness, care, and unflagging consideration given to me by friends at Portland State University, especially Marilyn Peterson, Patt Lamb, Marilyn Couture, Bob Bogue, and tous mes autres confrères.

To my Ma and Pa, I can only say thank you for their persistent prodding and their moral support.

Finally, I should like to thank Dr. John Atherton for his academic support from the beginnings, and Dr. Daniel Scheans, for his humorsome sense of discipline.

TABLE OF CONTENTS

	PAGE
ACKNOWLEDGEMENTS	iv
LIST OF FIGURES	viii
CHAPTER	
I INTRODUCTION	1
Statement of Problem	2
Theory	6
Methodology	7
Historical Ethnography	
Ethnohistoriography	
Problems of Written Sources	
Oral Tradition	
The West Atlantic Tribes	15
Prospectus	17
II THE RELATION OF LAW AND RELIGION	19
Social Sanctions	19
Ritual	23
Divination	24
Oaths and Ordeals	26
III THE SASSWOOD ORDEAL OF POISON	34
Distribution and Names	34
Operation of the Ordeal	37

CHAPTER

PAGE

	The poison	40
	The Sasswood Specialist	43
	The Accusers and the Accused	44
	Origin Myths	48
	Intracultural Correlations	52
	Economic Correlations	
	Social and Political Correlations	
	Socialization	
	Functions	59
	Legal Mechanism	
	Social Unifier	
	Equalizer of Social Status	
	Association with Slavery	
	Politics and "Police"	
	Education	
IV	HISTORICAL INFLUENCES AND THE MANIFESTATIONS OF CHANGE	68
	Culture Change and the Ordeal	68
	Historical Influences	72
	Islam	
	Slavery	
	Western European Influences	
	Urbanization	
V	SUMMARY AND CONCLUSIONS	91
	Summary	91
	Conclusions	94
	Ethnohistoriographic problems	
	Persistence and Change in the Ordeal	
	Historical Influences	
	General Conclusions	99

CHAPTER

PAGE

BIBLIOGRAPHY 101

APPENDIX 111

Appendix A: Summary of the Explorers to Sierra Leone and Liberia, with Special Reference to the Practice of the Sasswood Ordeal 111

Appendix B: The Redwater Trial: 1795 114

LIST OF FIGURES

FIGURE

PAGE

I The West Atlantic Tribes

19

CHAPTER I

INTRODUCTION

CHAPTER I

INTRODUCTION

If I have been guilty of this crime,
If I have gone and sought such a one's hurt,
If I have sent another to seek such a one's hurt,
If I have employed anyone to make charms and cook bush,
Or put anything in the road,
Or to touch his cloth,
Or to touch his yams,
Or to touch his goats,
Or to touch his fowls,
Or to touch his children,
If I have prayed for his hurt,
If I have thought to hurt him in my heart,
If I have any intention to hurt him,
If ever, at any time, I do any of these things,
Or employ others to do these things,
Then, o God! Thou deal with me!

West African Oath¹

An esteemed Senator, learned in the law, has called the lie-detector test "twentieth century witchcraft," and in very nearly the same breath has demanded that his witnesses "swear to tell the truth, the whole truth, and nothing but the truth, so help you God."² In the first case, certain physiological responses such as pulse rate, respiration, and perspiration are measured to ascertain guilty knowledge or lying in the individual when asked questions, since it is thought that these autonomic responses occur outside of human self-control. In the

¹Mary Kingsley, Travels in West Africa, (London: Macmillan and Company, 1897), p. 465.

²Senator Sam Ervin, Senate Select Committee on Campaign Activities, June, 1973.

second case, an ancient ritual of taking an oath on a sacred object, such as the Bible, is being performed, so that if an untruth is told, God will seek His appropriate revenge. Yet the effect is the same in both cases: the guilty will be exposed, one way or the other, through the apparent actions of extra-human controls.

These practices are universals, though they come in different guises; and their aspects among the West Atlantic tribes of Africa³ will be presented in the thesis, not as twentieth-century (or seventeenth-century or fifteenth-century) witchcraft, but as long-standing, currently viable practices, vital to the societies of that region in many ways. External sanctions and judgments are manifested through the actions of the supernatural in the ordeals and oaths performed by the indigens of Sierra Leone and Liberia. For at least six hundred years, the peoples of these present countries have imposed one of the strictest of ordeals--the sasswood ordeal of poison--on their moral transgressors; and the practice has survived, despite the protestations of nineteenth-century missionaries and the encroachment of the western world. That this practice has survived at all would attest to its alleged success and efficacy in the view of those who utilize it.

I. STATEMENT OF PROBLEM

The investigation of the historical evidence of the sasswood ordeal among the West Atlantic tribes of Africa has three basic purposes.

1. Because of the paucity of interpretive data on the sasswood

³See page 15.

ordeal and oath-swearing, the primary purpose of this thesis will be to more clearly delineate the meaning, characteristics, and functions of this poison ordeal as well as the swearing of oaths among the peoples of Sierra Leone and Liberia. By amalgamating historical and more contemporary evidence from these areas, it will be possible to afford a more complete picture of the practices than has been previously provided. In addition, the relationship of these legal-religious divinatory procedures to the operation of the whole of the culture will be explored.

2. A second purpose of this thesis will be to demonstrate the intrinsically conservative qualities of the ordeal and oaths as aspects of religion and law. By assessing specific historical influences in the region of the West Atlantic tribes, such as Islam and colonialism, it will be shown that no significant change has been witnessed through the six-hundred-year period of the historical record. This fact, it will be demonstrated, might be related to certain deficiencies in the historical record which might give the appearance of the lack of change. However, it will be possible to conclude that the basic tenacity and adaptability of the ordeal and oath complex is evident through time, substantiating the existence of a highly persistent trait-complex.

3. A third purpose will be the application and assessment of "ethnohistoriographic" techniques, that is, those specific methods of historical scholarship utilized by the ethnographer in investigating past cultures. The principal research source in the case of the sassa-wood ordeal has been historical, written documents. There are limits to the use of this methodology which shall be discussed in the section on "Methodology" in this Introduction.

One of the principal assumptions to keep in mind in reading this thesis lies in the difference between a trait and a trait-complex. Traits and trait-complexes are "ideal" material for an historical study in that "the historical viewpoint focuses attention on unique, or specific, objects and events in time and in place. In ethnology, it deals with cultural elements as they have actually existed ... recording their chronological and spatial story."⁴ The minimum significant unit of culture capable of being isolated in time and in space is called a trait, and interrelated traits are grouped into a trait-complex.⁵ For this reason of its specificity, the sasswood ordeal and oath-swearing were regarded concurrently as linked trait-complexes. Oath-swearing and ordeals could have been treated independently as a trait-complex, for each, as an item of cultural behavior, can be broken into further constituent elements or traits. Because of the co-incidence of these two trait-complexes among the West Atlantic tribes, however, they were considered as a single trait-complex.

There were two main reasons for having chosen the subject of a specific kind of ordeal for the present study. First of all, in approaching any topic historically, one is faced with a distinct problem: what is of interest to the present reader and researcher was not necessarily of comparable interest to the earlier recorder of events. Where the present author would find the etiology, function, and ideology of legal-religious cultural practices of prime importance and

⁴Felix Keesing, Cultural Anthropology (New York: Holt, Rinehart, and Winston, 1958), p. 145.

⁵Ibid.

interest, the early observer of West African religions and laws would more likely be attracted by and subsequently record the sensational as he came across it: the sacrifices, the elaborate rituals, the cannibalism, and the ordeals. These were not everyday occurrences in the western European explorer's life, and they therefore caught his notice. He was content to record what he saw, too, through his own "cultural eyes," and this limited the accurate description of what he did, in fact, perceive. Discrepancies among the reports are witness to this fact. These matters, however, are subject to discussion in a later section of this chapter. Oaths and ordeals were chosen for diachronic study because of their "sensational" quality, which meant historically that they were recorded, and for their appeal to the author in terms of functional considerations and the relation to the persistence of the trait-complex.

The second motivation for choosing the topic of ordeals lies in the fact that they have been and are possessed with a quality of the sacred in that supernatural sanctions are the means through which they are alleged to operate. The fact that ordeals are regarded as the intercession of non-ancestral spirits in matters of jurisprudence would lead to the assumption of their resilience to change which might not be evidenced in more vulnerable or structurally malleable elements of culture, such as material items. Things that are revered die hard; and when considered with the manifold functions of the oath-ordeal complex, what this author hopes to demonstrate is the innate religious conservatism of the practices.

II. THEORY

In anthropological research the historical approach ideally presents as the study in the field of a single culture over a long period of time, preferably a decade or more, in order to ascertain the true characteristics of that culture as well as to postulate on the nature of Culture. This method utilizes well-known specifics such as direct observational data on ritual forms, religious beliefs and the like, obtained through the intensive, first-hand investigations to extrapolate to the more general.⁶ Over the extended duration of this field work, one could notice changes in form and in function; and these changes would necessarily require explanation.

The approach of historical ethnography, used in this thesis, has as its purpose a similar tenet: exploring a single culture or culture area from a more literally historical perspective through the perusal of historical (written) sources in order to assess such change as might have occurred in the culture over an even longer period of time and from a distance betrayed by both time and space. The problems in such research are implicit--the lack of first-hand knowledge or appraisals, observational bias, differential interest on the part of the recorder, and other factors which render the work of the historical ethnographer subject to questions of interpretation. At least a partial purpose of this thesis has been to assess the problems of what shall be termed ethnohistoriography in relation to the definition of and interpretation of a finite aspect of a specific cultural group.

⁶Paul Radin, The Method and Theory of Ethnology, (New York: McGraw-Hill Company, 1933).

The historical approach to the study of legal practices such as the sasswood ordeal and oaths among the West Atlantic tribes has the purpose of observing the occurrence of change through the diachronic methodology of the historian. The auxiliary use of the functionalist approach in the historical methodology will be necessary to explain the nature of the persistence of the practices.

III. METHODOLOGY

The subject of this thesis will be to explore and to define the nature of a specific cultural practice by the historical survey of that practice in a particular geographic region. For the purpose of definitional accuracy, two terms would seem to be appropriate to describe the methods employed in the thesis.

"Historical ethnography" has been described as follows.

The reconstruction of a synchronic, ethnographic description of a past stage of a culture, especially a description based on written documents contemporary with that stage. The aim (of this approach) would be to parallel as closely as possible what would be manifest in field ethnography, even though the evidence is not what the anthropologist has himself observed, overheard, and been told, but rather what others, non-anthropologists, have learned and written down.

This definition should be altered to state that only one trait-complex is considered and over a long period of time, not a "temporal isolate," such that the study becomes both diachronic and particularist. This may be termed limited historical ethnography. This has been achieved by piecing together often incomplete historical reports of the sasswood ordeal and concomitant oath-swearing from different historical periods

⁷William Sturtevant, "Anthropology, History, and Ethnohistory," Ethnohistory, XIII (1966), p. 454.

so that one may obtain the total picture of the practice from its beginnings in the historical record to the present.

Because the initial investigations were conducted by non-anthropologists, it is the task of historical ethnographers in researching a single item of culture or a whole society to use the method that will be termed "ethnohistoriography." This author will define ethnohistoriography as the specific techniques and methods utilized by an anthropologist to research a specific topic in culture history, viewed diachronically, for the purpose of ascertaining the nature of culture change. By using such a technique the goals and methods of the historian and the ethnographer are more clearly reconciled. The diachronic, chronological, dynamic view of the historian concerns itself with the process in a culture and the events which manifest this process. Process involves a continuum of facts and events which each interdigitate and affect the others, and history reveals the substance of this process.⁸ Ethnography, on the other hand, is concerned with the study of a culture synchronically, and characteristically statically, in that the ethnographers, with few exceptions such as Paul Radin, have been unable or unwilling to invest in the intensity of research and length of field work which would make the study at one and the same time synchronic (particularistic) and diachronic (historical). The historical ethnographer, ideally working in both the field or library and archives, affords the approaching reconciliation of a dynamic historical methodology and the cultural specificity of the ethnographer.⁹

⁸ Leopold Pospisil, The Nature of Law (Eugene: University of Oregon, M.A. Thesis, 1952), p. 25.

⁹ Radin, op. cit.

This thesis will not be concerned principally with the problems of ethnohistoriography; but in order to clarify the approach used in its study, some of the specific ethnohistoriographic problems and considerations encountered should be recorded since they in turn affect conclusions made regarding the persistence of the sasswood ordeal among the West Atlantic tribes. The items discussed at this point are not a complete list of all problems encountered in historical ethnography, but it will be descriptive of them as they pertain to the specific topic at hand. The more specific problems would logically differ in each topic of culture history as well as the region being studied.

The most obvious source of information for the investigation of the sasswood ordeal and oath-swearing among the West Atlantic tribes is the utilization of historical, written sources. The historical record in this region of Africa is a particularly fruitful area of study because West Africa especially has been the focus of continued contact by Indo-Europeans since the first centuries of the Christian era. While none of the earliest records made note, even inferentially, of the ordeals and oaths practiced, due to the fact of these recorders' preoccupation with aspects of trade and the writing of "travelogues," there is a substantial continuity of recorded data from the early fifteenth century to the present, which affords roughly a six-hundred-year period over which to investigate the ordeals and oaths and the changes, if any, that were manifested in them. In addition, the record has been particularly varied in that the reporters of many nations and many interests have explored Sierra Leone and Liberia, thereby providing for both a breadth and eventually a depth of investigation of the ways of

life of the peoples living there.

There are, however, several sources of error in the utilization of written sources which should be discussed in turn as they relate to the study of the oath-ordeal complex. These have been supplied principally by Mouloud Mameri¹⁰ and David Pitt.¹¹

The first factor of ethnohistoriography which causes certain misinformation and disproportions in the historical record is defined as a "taste for the sensational and the marvellous" on the part of the early as well as more contemporary reports.¹² The shocking has always attracted the attention of reporters; and from the earliest record of the ordeal, it has been couched in superlatives. The reason for choosing the topic of the study of ordeals and oaths rested on this facet of ethnohistoriography, for it would have proved futile to describe and investigate the more obscure, less "impressive" cosmology and ideology of the peoples of this region from the earliest times. In the earlier records and only until very recently have the reports not been concerned with anything "subtle" or psychological. The sasswood ordeal appeared to bridge the gap between what was recorded (viz., the sensational) and what may be regarded as religious and ideological. It was one practice which caught the eye of the chroniclers through time, and thereby provided a sound basis for a diachronic study.

¹⁰Mouloud Mameri, "Classification of Written Sources," Emerging Themes of African History, ed. T. O. Ranger (Nairobi: East African Publishing House, 1966), p. 84.

¹¹David Pitt, Using Historical Sources in Anthropology and Sociology (New York: Holt, Rinehart, and Winston, 1972), pp. 46-61.

¹²Mamouri, loc. cit.

A second problem in the use of historical sources has been the recorders' attachment to certain opinions, which may be more simply termed prejudice.¹³ Explorers, adventurers, merchants, government officials, and anthropologists have come to Sierra Leone and Liberia reflecting their home nations' attitudes as well as the intellectual dispositions of the age in which they were writing. The history of the nation concerned played a significant part in the tone of this prejudice, and these will be considered. An example of this aspect is to be seen with the majority of the British, who, from the beginning of their exposure to West Africa in the later 1500's (i.e., during the period of Elizabethan merchantilism) to the end of the Victorian era, had demonstrated their apparent sense of self-important superiority and moral justification for the conquest of "inferior" nations, allegedly, in part, for the latter's own good. Such sanctimony obviously would affect the accurate recording of data since such prejudice and ethnocentrism would result in the channeling of that data into preconceived compartments and classifications. In the case of the physical ordeals used to detect guilty behavior, such practices had been associated in the past with the witch trials in Britain during the seventeenth century; and perhaps because of the proximity of such behavior in the history of that nation, these practices were condemned as "barbaric." In addition, what were considered to be the innate biological and mental superiority of the whites, promulgated by the notions of pseudo-Darwinism extant during the nineteenth century, resulted in the dismissal of anything achieved by the blacks as being "primitive." In the case of ordeals, however,

¹³Ibid.

fact and opinion may be readily separated because of the obvious condemnatory tone used when the recorders made judgments and also due to the fact that the formal facts of the practice are self-evident. In this case, the trouble encountered might be over-exaggeration to stress the point of "inferiority," but hyperbole has been considered and taken into account.

Related to the above, the national territorial and imperialistic interests of the recording country would result in political motivations which in turn affected the disposition of the individual recording. Again with regard to Britain in the later eighteenth and nineteenth centuries, national interest was directed to conquest in the development of the Empire. The scouts for the Empire, with the explorers such as Sir Richard Burton and John Hawkins, demonstrated in their records the notion politically popular at the time that it was white man's duty, if not burden, to control Africans, attempting to substantiate and to prove in their journals the duty of the white to supervise the black. Individuals in the service of the country, such as government officials, would more likely reflect those national political interests than the independent explorers, because of their vested interest in political and societal manipulation rather than mere observation. The former had a purpose, an "axe to grind," in their recording of events in reference to the government's position while the latter had only a disposition and prejudice.

Despite these greater national attitudes and political motivations, the most significant source of error in these records would appear to

lie with the individual. This factor has been called observational bias,¹⁴ which is more variable than the previous three sources of error because an individual's predilections are less predictable. Different individuals would have different abilities and different interests. As will be demonstrated later in describing some of the various records, missionaries differed from the explorers in their manner of recording the ordeal, usually in tone rather than in substance of the description. Such factors as the health and education of the recorder were also taken into consideration in determining the objectivity or subjectivity of the recorder, whether he might be peevish, complacent, or "over-emotional,"¹⁵ that is, how his objectivity as a recorder might be affected. Confidence in the word of the individual transmitting the account must be developed and assessed; the records of the individuals describing the ordeal are not the same and whether these differences are significant should be assessed with each case in terms of observational bias. As mentioned above, these discrepancies are seen as minor in that hyperbole and "descriptive indiscretions" are easily distinguished from what may be regarded as fact.

There is another source of error present in the study of written sources which may be considered as applicable to the historical investigation of the sasswood ordeal. In relation to the individuals' ethnocentric notions, few of the recorders, except for Adam Afzelius,¹⁶ were

¹⁴Pitt, loc. cit.

¹⁵Mamouri, loc. cit.

¹⁶Adam Afzelius, Sierra Leone Journal 1795-1796 (Uppsala, Sweden: Studia Ethnographica Uppsaliensa, XXVII, 1967).

aware of the ideas of causation of the inhabitants of Sierra Leone and Liberia with regard to legal practices.¹⁷ There was apparently awareness of the link between the ordeals and supernatural determinations of guilt, but the underlying ideologies other than the legal functions were not considered by the majority of the recorders. Basically, though, they were ignorant of the relations between cause and effect in the law. The Victorian recorders were not concerned with the functions of these practices but rather with describing the "bare facts." Interpretation has been designated as the task of later investigators; and in this sense, it may be assumed that such a deficit has been beneficial in that the mere recording of events would be more comparable to direct field observation than the ethnocentric, and false, interpretations of events by the earlier records which might well confuse later researchers.

Before concluding the discussion of the problems encountered in researching historical sources, it would be appropriate to consider one of the other techniques used by the ethnohistorian and judge the range of its use in the study of legal-religious practices.

Oral tradition involves the folk or "emic"¹⁸ view of history, and in this respect the folk tales and myths of Sierra Leone and Liberia could be regarded as a likely area for investigation. In describing the assumptions of studying oral traditions, Ruth Finnegan has reported that "oral tradition is something uniform, something that can

¹⁷ Mamouri, loc. cit.

¹⁸ Marvin Harris, The Rise of Anthropological Theory (New York: Crowell Press, 1968), p. 571.

treated as an undifferentiated and self-evident entity (such that it) leads to a tendency to speak of oral tradition as a source in itself without the need to describe and analyze the source."¹⁹ Such a study would appear particularly germane in researching a subject area of law and religion, which, in keeping with the definition of origin myths provided below (p. 48), would indicate that these essential areas of a society's culture would need to be "codified" in their oral traditions. Unfortunately, the only such record which has come to this writer's attention is the Dan myth on page 50, which describes the origins and functions of the sasswood ordeal. Proverbs form another aspect of oral tradition which might be utilized in this case, being repeated during ordeals and oaths to exemplify specific points of law.

Having provided an introduction to the general ethnohistoriographic problems encountered in researching the sasswood ordeal and oath-swearing among the West Atlantic tribes, the more specific attitudes reflected by the recording countries will be described in the fourth chapter.

IV. WEST ATLANTIC TRIBES

The West Atlantic tribes of Sierra Leone and Liberia were selected for their location on the coastal regions of West Africa. These regions have a particularly rich history of exploration, from the first Portuguese to the most recent anthropologist. An active slave trade and colonial period, dotted with the records of zealous missionaries, provide an excellent recorded series of observations from the fifteenth century

¹⁹Ruth Finnegan, "Oral Tradition," History and Theory. IX (1970), p. 195.

to the present as well as a relative abundance of data from which to draw.

The designation West Atlantic ("le cercle occidental de l'Atlantique") has been proposed by Baumann and Westermann.²⁰ The unity presented by this group is not racial or linguistic, for these differences are great, the latter falling into three broad classifications (Kru, Atlantic, and Mande).²¹ The principal determining factor has been cited as the lack of a highly centralized form of government in the formation of local petty chiefdoms. It has been marked as the area where typical West African "civilization" encounters "la paléonigritique," and the amalgamation of the two lends this region its distinctive characteristics. In the words of Baumann and Westermann,

From the Ivory Coast to Senegal, one finds particular traits that are alike among the Kru, the Mende, and other West African peoples. These traits are especially indicated in their political organization, which from the beginning has been strongly gerontocratic and democratic; in their economic mode (agricultural with rice as the principal crop); in the form of their secret societies; and in their myths and religious structures.²²

The main tribes included in this region and in this thesis are the Wolof; the Bakwe, Bassa, Sikon, Kwa, Grebo, Kru, and Sapo of the Kru tribes; the Bulom, Kissi, Limba, Sherbro, and Temne of the Atlantic tribes; and the Dan, Gio, Gagu, Kono, Kpelle, Loko, and Mende of the Mande groups.²³

²⁰H. Baumann and D. Westermann, Les Peuples et Les Civilisations de L'Afrique suivi de Les Langues et L'Education (Paris: Payot, 1967), p. 367.

²¹George Murdock, Africa: Its People and Their Culture History (New York: McGraw-Hill, 1959), p. 260.

²²Baumann and Westermann, op. cit., p. 368.

²³Murdock, op. cit., p. 261.

V. PROSPECTUS

A prospectus of the contents of the chapters following shall be given at this time to afford the reader some idea of what to expect in each section and some notion of the development of the subject matter.

Chapter II will be concerned with the definition of the generic relation between law and religion, as these areas are involved with similar and overlapping mechanisms of social control in Africa. The region of mutuality of law and religion will be seen to lie in ritual. A special type of technological ritual--divination--will be presented as a mechanism whereby difficult matters are decided with the help of the supernatural; and oaths and ordeals present as a distinct aspect of divination utilized to try legal matters, especially those concerning social high crimes of adultery, murder, witchcraft, and theft.

Chapter III will deal with the specific sasswood ordeal of poison and the concomitant oath-swearing as compiled from the numerous historical sources which have made reference to it. The distribution of the poison ordeals in general will be presented as well as the spatial limitations of the sasswood ordeal. Descriptions will be made of the various characteristics of the trait-complex, the poison's action, the ritual and ceremonial aspects, the specialist involved, and the cases in which the ordeal is used. Intracultural correlations will then be presented to demonstrate the interdigitation of the elements in a culture in relation to oaths and ordeals. Finally, some functions, other than the obvious guilt-determining aspect, will be presented to demonstrate the various ways in which the complex has been used. The emphasis in this section will be described as a composite of elements which had been

differentially described in the historical record.

Chapter IV will present a general discussion on the probability of the sasswood ordeal's propensity for change and persistence; that is, which elements in it are likely or unlikely to change. A discussion of such changes as are manifest and probable etiology for the changes will be presented. The various historical influences will be presented and will include Islam, slavery, colonialism, missionary proselytisation, and the effect of the modern world on the practices.

In Chapter V the conclusions regarding the conservative nature of the ordeal as an aspect of law and religion will be shown, in addition to some further problems of ethnohistoriography.

Figure 1. The West Atlantic Tribes
of Sierra Leone and Liberia

CHAPTER II

THE RELATION OF LAW AND RELIGION

CHAPTER II

THE RELATION OF LAW AND RELIGION

Before defining the nature of the specific sasswood ordeal and oath-swearing complex, it would be well to discuss the relationship between law and religion. The influence of each on the functioning of society will be presented as well as their area of overlap, especially in the aspect of ritual. Such a discussion is intended to afford the reader with an initial orientation to the concepts of law and religion.

I. SOCIAL SANCTIONS

Rules for social control are necessary to keep in check the various tensions, stresses, and conflicts which one meets in dealing with other members of the society. These have been called social sanctions and are defined as follows.

A sanction is a reaction on the part of a society or of a considerable number of its members to a mode of behaviour which is thereby approved (positive sanctions) or disapproved (negative sanctions). Sanctions may be further distinguished according to whether they are diffuse or organized; the former are spontaneous expressions of approval or disapproval by the members of a community, while the latter are social actions carried out according to some traditional and recognized procedure.²⁴

Because these tensions require the operation of sanctions and are weak

²⁴A. R. Radcliffe-Brown, Structure and Function in Primitive Society (New York: Free Press, 1965), p. 205.

points in the society, in that one is more likely to transgress the moral code in these areas, and because these aspects of vulnerability are important and essential by definition of the individual society, formalized means of handling the breaches of the established moral code are developed.²⁵ By formalized, one should interpret this to mean that the laws and moral rules are codified in the mythology and oral traditions, reflecting as they do, in sacred guise, the moral tenets of the society. Examples of this would be the Bible, the Koran, and the Edda of Scandinavia as well as folk tales of other nations.

The mechanisms of social sanctions are various, but the principal characteristic of all means of social control is that they reflect the ideal (that is, the "mental template") of the society with respect to what is considered important enough to set aside for special legal and religious observance.²⁶ For instance, sanctions and rules function to restrict certain types of behavior, such as incest and eating habits, the violation of which is alleged to upset the "cosmic balance" and to offend the supernatural.²⁷ In addition, other societies have established formal courts of law. In most cases, public opinion operates to keep in check moral transgressors by condemnation of the deviant actions, ostracism of the errant actors, and punishment when necessary. In the words of Felix Keesing in describing Bronislaw Malinowski's "charter" of the society, "it involves rules, backed by sanctions of social, and

²⁵Keesing, op. cit., p. 303.

²⁶Pospisil, loc. cit.

²⁷Keesing, loc. cit.

perhaps of supernatural, opinion and action."²⁸ Whether there exists informal control, or diffuse sanctions (such as among the Bushmen whose "police force" is ridicule and ostracism), or institutionalized control and codification of laws (as among contemporary urbanized societies), the underlying principle of the law is that it is a system of regulations regarding the weak points in the society's moral and ethical code.²⁹ Indeed, if there were not these aspects which might potentially be violated, there would be no need for laws and rules regarding their breach. All such social sanctions operate on the basic assumption of the "desire of the individual to obtain the approbation and to avoid the disapprobation of his fellows."³⁰

In the ethicoreligious system of many societies, moral law and natural law are indistinguishable, in that supernatural sanctions, as reflected in the group's mythology and oral traditions ("charter"), are thought to order men's lives and keep them in check.³¹ Because each anti- and asocial action among the members of a small society has such potentially far-reaching effects in terms of social cohesion and function, measures to avoid or to minimize these tensions are sought not through an unemotional set of rigid laws and ethics, but rather by means of an emotionally-infused set of religious and supernatural models, sanctions, and myths.

²⁸ Ibid.

²⁹ E. A. Hoebel, The Law of Primitive Man (Cambridge: Harvard University Press, 1967).

³⁰ Radcliffe-Brown, op. cit., p. 206.

³¹ Max Gluckman, Politics, Law, and Ritual in Tribal Society (New York: Mentor Books, 1965), p. 277.

Where the smallest hunting and gathering group, such as the Bushmen, may function solely on the operation of public opinion, others of greater cultural complexity or larger size, such as the West Atlantic tribes, may require more complicated means of control due to the greater number of members. Legal-religious jurisdiction appears to be the most efficacious means in this respect in that supernatural sanctions are pervasive, strict, and divinely ordained.

II. RITUAL

Religion, like law, has a similar purpose of morally guiding the members of the society. "Religion is a set of rituals, rationalized by myths, which mobilizes supernatural powers for the purpose of achieving or preventing transformations of state in man and nature."³² The important aspect of religion described above is the attainment of social equilibrium, or the ritual means by which homeostasis is achieved during moral and social crises. Ritual is a chief mechanism demonstrating the assimilation or amalgamation of law and religion in this aspect. Ritual is a prescribed set of specific procedures which must be routinely performed for the goals of assuring the assistance of the supernatural in allowing the continued smooth functioning of the society. Ritual also appears dramatic and possessed of sacred words and actions.³³ Furthermore, ritual is seen to be expressive in that differences in social sta-

³² Anthony F. C. Wallace, Religion: An Anthropological View (New York: Random House, 1966), p. 107.

³³ John Messenger, "The Role of Proverbs in a Nigerian Judicial System," Southwestern Journal of Anthropology, XV (1959), p. 64.

tus, lineage roles, and other cultural functions which are not clearly delineated in the society in more mundane terms are repeatedly, emotionally, and systematically reaffirmed to the members of the society.³⁴

This aspect is important in preserving social cohesion in that the local hierarchy and positions of one individual relative to another are confirmed in the presence of "divine witness."

With regard to legal questions and the breach of moral codes, the ritual is a means by which apologies and explanations are provided to the supernatural such that the "holy vengeance" will not be wreaked. In the words of Max Gluckman, "ritual emerges as a result of the 'moral discomfort' of the group when confronted with a breach of natural order ... There is nothing for it to do but to lay stress on values to which all men (must) subscribe, regardless of their particular loyalties and interests."³⁵

III. DIVINATION

Divination, of which oaths and ordeals belong to a special classification, is a special form of ritual, subscribing to a schema of natural events; and it is therefore termed technological ritual.³⁶ Divination is a ritual which aims to extract information from nature; and it is performed at times when a decision must be made (as in the aforementioned breaches of the moral code), and the actors have either insufficient

³⁴William Lessa and Evon Vogt, A Reader in Comparative Religion (New York: Harper and Row, 1965), p. 299.

³⁵Gluckman, op. cit., p. 265.

³⁶Wallace, op. cit., p. 108.

knowledge about the crime or are unwilling to accept the responsibility for making a decision on their own.³⁷ In this sense, religious divination is always pragmatic in its congruence with the system of mythological beliefs; and it appears that "judgment, directly, if apparently arbitrarily, from supernatural authority" determines the decision.³⁸

The relation of law and ritual is clear in this respect.

The supernatural also enters into the law-ways of substantive rules, but as an instrument of judgment and execution of justice when men's infallible means of the determination of evidence are unequal to the task of establishing facts ... the spirits know the truth. They are omniscient ... and if properly appealed to, they will judge the case.³⁹

A special aspect of divination in the consideration of legal questions is its technique of supplication to the supernatural to provide viable answers to those questions, such that the society can resolve its particular difficulties with the least amount of tension resulting from indecision.

Divinatory rituals have the following goals which may be summarized: reducing the duration of individual indecision in the face of possible dysfunction by not being able to make the decision; accomplishing a more even consensus within the group, with a minimum of offense to its members; and inspiring the persons who must execute the decision with sufficient confidence, unimpeded by anxiety, and to provide a randomization in decision-making.⁴⁰

³⁷ Ibid.

³⁸ Ibid.

³⁹ Wallace, op. cit., p. 110.

⁴⁰ A. H. M. Kirk-Greene, "On Swearing," *Africa*, XXV (1955), p. 43

IV. OATHS AND ORDEALS

The oath-ordeal complex has only been discussed to a limited extent in the anthropological literature, and a definition of the complex will be necessarily a composite of ordeals and oaths as described historically for the tribes of Sierra Leone and Liberia.

Oaths

An oath may be defined as an "invocation to a supernatural being or agency, and punishment for an infringement of an oath falls automatically."⁴¹ The oath's action operates through the means of a material object, such as a bit of leather or a sacred object.⁴² The purpose of the oath lies in ritually pleading one's innocence with words by a type of imitative magic⁴³: a direct symbolism is involved in the formation of the oath, such as "If I murdered the Old Washer Woman, may my life be taken as this chicken's is."⁴⁴ The effectiveness of this method has been described. "Since in primitive society the spoken word is thought to exercise supernatural power in its utterance and repetition, it gives efficacy to the actions performed and the episodes recounted as an uttered rite."⁴⁵ In this sense, words themselves are thought to be

⁴¹ Ibid.

⁴² Ruth Finnegan, Report on the Limba of Northern Sierra Leone (London: International African Institute, 1964), p. 120.

⁴³ Sir James Fraser, The New Golden Bough (New York: Mentor Books, 1959), p. 35.

⁴⁴ Kirk-Greene, op. cit., p. 40.

⁴⁵ Edward Fashole-Luke, "The Theme of Myths," Sierra Leone Bulletin of Religion, VII (1965), p. 35.

the direct causal agents.⁴⁶ The threat of supernatural retaliation for social transgressions and crimes and the magic of words embodied in affirming the oath appear to be powerful enough in themselves to achieve and maintain a legal, policing function as a mechanism of social control. Their effect is almost entirely psychological; its means is fear of supernatural "sleuthing" and retaliation.

An important factor relating to the definitions of oaths and ordeals was provided by Ruth Finnegan.⁴⁷ She drew the distinction between oaths and ordeals in that in the case of oath-swearing there appears to be a "general warrant" out for the unknown guilty party. The tone of the oath is to supplicate the spirits to reveal the guilty one and to punish him. It might be interpreted that in the cases of oath-swearing, the social anger is either diffuse (that is, it does not require a specific focus), or else that it also is so slight that a generalized "let them take care of it" seems to suffice to pacify the populace. Ordeals, on the other hand, are directed against a specific party, which by contrast might be interpreted to mean that the social tensions require what may be called a "scapegoat" for community satisfaction.

Another interesting facet was pointed out by Finnegan in her discussion of swearing (oaths) among the Limba. In it, she stated that blacksmiths are always associated with the swearing ceremony as well as with ordeals. As Finnegan states, "the smith is the most powerful and universal of the experts in various rituals. He is always purifying

⁴⁶ John Beattie, "Ritual and Social Change," Man, I (1966), p. 69.

⁴⁷ Finnegan, op. cit., p. 24.

people, making and 'pulling' swears, and conducting sacrifices at the chief's hut. People even say occasionally that he is more important than the chief."⁴⁸ In many parts of Africa the smith appears as the feared and respected class of specialist, closely associated with the religious realm as manifested by the taboos surrounding him. One author has provided a reason for the awe in which the smith is held. Fire is the element of the smith's craft through which he works; and fire has been revered as a power divinely given to man. Since the smith uses it, this gives the appearance of his interference in the processes of the cosmic forces. This was further viewed as "the manifestation of a magico-religious power which could modify the world, and which, consequently, did not belong to this world."⁴⁹ In addition, another author has noted that there is a direct relationship implied between the smith and the "nether regions."⁵⁰ Such an association with the dark aspects of the supernatural, such as witches, would make the smith a likely candidate for seeking out the guilty by the mysterious means manifested in swears.

Swearing and oath-taking may be summarized as being a means by which supernatural sanctions are generally invoked, usually through some sacred object, such as a special tool or a grigri bag, or through the name of a spirit. Their efficacy is thought emically to operate through the psycholocical means, in which the guilt of the individual, as opposed to his shame, manifests itself by the internal sanctions: the

⁴⁸Finnegan, op. cit., p. 121.

⁴⁹Mircea Eliade, The Forge and the Crucible (London: Rider and Company, 1962), p. 79.

⁵⁰J.-P. Clébert, The Gypsies (New York: Penguin Books, 1967), p. 36.

secret avowal that "I have done wrong" and the conviction that one will be "caught" if guilty. Swears operate from the inside-out, in other words.

Ordeals

An ordeal, on the other hand, operates by a combined psychological and physiological mechanism. An ordeal has been described as a "method of invoking the aid of supernatural powers to settle disputes or to test the truth of an accusation. It usually consists of severe and dangerous tests."⁵¹ The psychological basis for the effectiveness of the ordeal is to be seen again in the fear of consequences of the pain and of the ordeal itself and in the fear of the sanctions against the individual, both from the supernatural and from his fellow members in the society, should he be proved guilty in the matter at hand. In addition, the psychological operation resides in the individual's conviction that if he is innocent, nothing will happen to him, such as in the case of oaths. Note has been made that the accused's fear of consequences resulting from culpability may exacerbate the ordeal's efficacy in determining the truth, much as the lie-detector is said to operate.⁵²

The physiological basis of the ordeal should appear readily apparent in its operation through pain and other physical effects to either force confession or otherwise resolve the issue through the arbitrary physical responses of the accused. The first classification of ordeal

⁵¹Kirk-Greene, op. cit., p. 44.

⁵²J. M. Roberts, "Oaths, Autonomic Ordeals, and Power," American Anthropologist, LXVII (1965), p. 186.

is one in which the response of the accused may be directly controlled by the individual undergoing the ordeal, such as the use of physical skills employed in feats of strength and the like. In addition, the second is the type of ordeal which has been termed "autonomic," which is "that subtype in which the judgment of success or failure, guilt or innocence, is dependent upon involuntary (physiological) responses such as blistering."⁵³ Also included in this category are bleeding, burning, floating, and vomiting. This sort of ordeal is significant in that more than the other type, its action is independent of direct human control and manipulation in that there are differing individual responses to the various tests. This gives the appearance of supernatural intervention. This impression is intensified by the seeming caprice of the ordeal's operation. Where in point of fact the dose and quality of the poison are controlled to some extent by the sasswood specialist, the exact effect that the poison will take is capricious. Such a method of divination permits those who are indecisive or those who are not in a position to make a decision for which they wish to be held responsible to make a decision without assuming direct responsibility. After all, it was the supernatural who decided the issue.

Other than the supernaturally legal aspect of oaths and ordeals, these forms of divination allow men to "control" their lives and to attempt to know the unknown to at least a certain degree. One thing that can be said for all men is that each individual has some measure of uncertainty about the unknown elements of everyday life occurrences

⁵³ Ibid.

and particularly unknowable events such as witchcraft and frequently murder. With regard to the specific problems of determining guilt or innocence in legal cases, oaths and ordeals, in the particular sphere of maintaining the moral code, allow an individual who is immobilized by a difficult decision to make an effective and resolute choice without "devisive indecision." In this sense, oaths and ordeals would function to lessen the uncertainties of this one aspect of their lives.

These forms of divination also are thought to have a randomizing effect in that by providing the element of chance in a given event, it randomly directs the activities to the resolution of a problem and thereby avoids "deleterious regularity."⁵⁴ This indicates the purposeful avoidance of a regularized pattern of behavior by means of the "chance-like" divination. However, ordeals are seldom precisely random due to the intervention of human agents with knowledge of their special moral code as well as public opinion which varies from case to case. One may conclude that divination causes a mild period of constructive social uncertainty and flux which necessitates the re-affirmation, through ritual means, of social and cultural values and standards which had been threatened temporarily by a transgression on the part of a particular "criminal" individual as well as attaining a consensus regarding the particular issue.⁵⁵ Divination--oaths and ordeals--thus effectively

⁵⁴Omar K. Moore, "Divination: A New Perspective," Reader in Comparative Religion, Ed. W. Lessa and E. Vogt (New York: Harper and Row, 1965), p. 377.

⁵⁵G. K. Park, "Divination and Its Social Contexts," Reader in Comparative Religion, Ed. W. Lessa and E. Vogt, (New York: Harper and Row, 1965), p. 380.

channel public opinion and belief through solemn and dramatic, supernaturally sanctioned means, namely ritual. (Haskins)

Two theories have been postulated regarding the nature and function of oaths and ordeals in a society. First, it has been thought that oaths and ordeals occur in trials where physical force and strategy are used, but where such flexing of power muscles is insufficient to permit the resolution of an indeterminant situation without incurring the risk of excessive losses in terms of life and limb.⁵⁶ The threat of probable supernatural punishment in this case would appear to be greater than any harm that a mortal might inflict on another; and the effectiveness in such a situation would rest with the anxiety achieved by the fear of "cosmic repercussions." This would relate to the maintenance of cohesion.

The second hypothesis is that "oaths and ordeals are psychologically viable cultural patterns which probably contributed to more correct and/or successful outcomes than otherwise, in terms of the legal system, but not necessarily in terms of the viewpoints of the individuals."⁵⁷ Related to the first hypothesis, this theory promotes the idea that high levels of anxiety resulting from fears of supernatural retribution result in physiological (psychosomatic) responses in keeping with the actual guilt (or innocence) of the accused. One would wonder what would be the fate of the personally nervous or the neurotic individual in such a case.

⁵⁶ Roberts, loc. cit.

⁵⁷ Roberts, loc. cit.

In summary, oaths and ordeals belong to the classification of technological ritual in which legal situations which cannot be resolved by human judges, either through their ignorance of the truth or through the fact that they do not wish responsibility to rest in other hands. Oaths operate by means of a "general warrant" in that a specific individual is not accused, but the spirit of the material, sacred object through the "swear" works will seek out the guilty; and by his sickness, accident, or death, his culpability will become apparent. Ordeals deal directly with a specific individual who has been blamed for a specific crime, and usually has professed his innocence, such that a "test of faith" is required. Ordeals are characterised by a self-contained mechanism of punishment-to-fit-the-crime, acting at one time as judge and executioner.

CHAPTER III

THE SASSWOOD CRDEAL OF POISON

CHAPTER III

THE SASSWOOD ORDEAL OF POISON

Poison ordeals are distributed throughout Africa and are limited to that continent. They appear to be African inventions and to have diffused throughout that continent by means of simple contact diffusion.⁵⁸ Furthermore, there is a qualitative difference between the type of poison ordeals practiced in West Africa and those from other sections of Africa. In East and South Africa, as well as in some parts of West Africa, namely the coastal regions of Ghana and Nigeria,⁵⁹ the poison ordeal is administered to chickens and other small domestic stock, whose death or survival, in addition to the pattern of their responses, are divined by a specialist who thereby determines the answer to a particular question.⁶⁰ In West Africa, particularly in Sierra Leone and Liberia and the Ivory Coast, in addition to the inland regions of Ghana and Nigeria, the poison ordeal deals directly with human beings; and the justice administered is, in this sense, instantaneous and direct. The present study, therefore, limits itself to the latter type of poison ordeal with human recipients of the poison.

⁵⁸ Roberts, op. cit., p. 205.

⁵⁹ In Ghana and Nigeria, the shift to chicken ordeals in lieu of human ordeals is probably the result of more intense westernization in these regions.

⁶⁰ E. E. Evans-Pritchard, "Consulting the Poison Oracle among the Azande," Reader in Comparative Religion, Ed. W. Lessa and E. Vogt, (New York: Harper and Row, 1965), p. 347.

The poison ordeal goes by many names among the various tribes practicing it; but in most cases, the phrase may be translated as "drinking fetish," in which case "fetish" should be interpreted to mean the charm or special material item endowed with powers and the protection of the supernatural.⁶¹ Poison is an example of such a "sacred" material item which can be taken into the body. In the words of another source, "... the strongest of all ordeals is that in which the sacred object is eaten or drunk."⁶² This would indicate the gravity of matters being considered if the sacred object must itself be ingested and the individual suffused with the power which will seek and find the truth within him. The phrase "drinking fetish" would seem to indicate this idea.

Among the groups of Sierra Leone and Liberia considered in this thesis, the sasswood ordeal forms a major sort of poison ordeal. The word "sasswood" is apparently derived from the local mispronunciation of the Anglo-French word "sauce" used by seventeenth and eighteenth century sailors to describe something pungent or spicy in taste or behavior.⁶³ This would indicate an extra-African term applied to an indigenous practice. Kru, for example, provides two contemporary meanings to "sauce" or "sass": a violent purgative measure (the poison's usual action) and a cheeky, riotous behavior ("sassy").⁶⁴

⁶¹ Geoffrey Parrinder, West African Religion (London: Epworth Press, 1949), p. 205.

⁶² Kirk-Greene, op. cit., p. 51.

⁶³ Sir Harry Johnston, Liberia (London: Dodd, Mead, and Co., 1906), p. 1065.

⁶⁴ Ibid.

Terms other than sasswood exist for the poison ordeal, such as the "redwater ordeal," which at one time was alleged to be attributed to the draught's red hue, but which view has been contested.⁶⁵ Other groups such as the Mano, Dan, Vai, Sapo have called the sasswood ordeal gli and alternatively gri among the Gio,⁶⁶ which may be formed from grigri, which is the term for charms designed to ward off evil and to bring good luck. In fact, gri mu is the term used among the Mano and the Gio.⁶⁷ Among the Sherbro, the ordeal is called kong,⁶⁸ while among the Vai it has been termed kony.⁶⁹ Among the Kru, Dan, Grebo, and Half-Grebo, the ordeal is called ge du.^{70, 71, 72} Among the Kpelle, this is called kafu.⁷³ Among the Grebo, it is also named meli as an alternative, while among the Susu this term is also used.⁷⁴ The Temne refer to the sasswood ordeal as angkong.⁷⁵ In the whole area of the West

⁶⁵ Afzelius, op. cit., p. 26.

⁶⁶ G. Schwab, Tribes of the Liberian Hinterland (Cambridge: Harvard University Press, 1947), p. 447.

⁶⁷ Ibid.

⁶⁸ H. Hall, Sherbro of Sierra Leone (Philadelphia: Pennsylvania, 1938).

⁶⁹ J. Blättkofer, Reisebilder (Leiden: Brill Verlag, 1890).

⁷⁰ Johnston, op. cit., p. 1067.

⁷¹ E. Fischer, "Erzählgut der westlichen Dan im Liberia," Anthropos, LXII (1967), pp. 586-744.

⁷² Schwab, loc. cit.

⁷³ J. Gibbs, "The Kpelle of Liberia," The Peoples of Africa, Ed. James Gibbs (New York: Holt, Rinehart, and Winston, 1965).

⁷⁴ Joseph Corry, Observations (London: Cass Publishers, 1968).

⁷⁵ V. Dorjahn, "Some Aspects of Temne Divination," Sierra Leone Bulletin of Religion, IV (1962), pp. 1-9.

Atlantic cluster, however, the term "sassewood" has come to indicate more than just one type of ordeal and may be taken to mean, depending on the context, any form of ordeal used in the detection of guilt or innocence in matters of great importance to the groups of this region.⁷⁶

I. THE OPERATION OF THE ORDEAL

Upon the death of an individual among the West Atlantic tribes, a "palaver," or group discussion, led by the elders of the village, ensues and concerns itself with ascertaining who shall be accused of witchcraft, especially in cases of unexpected deaths and accidents, with the exception of the most obvious of natural causes. The decision having been made, upon recommendations of the zo⁷⁷ or by the family of the deceased or by public consensus, the accused is openly faced with the charges and is held to account for them. Before the assembled villagers, the accused must either confess his guilt or protest his innocence; and if the latter course is chosen, he must submit to the sassewood ordeal. Most do so willingly because, believing in the reality of the proofs of the ordeal, they do not fear the trial if they are innocent and fear its consequences too much if guilty and therefore confess. After the ordeal has been decided upon as the means for determining culpability, a further palaver is conducted to ascertain when the ordeal should take place. The waiting period before the trial may last as long as six months or as briefly as instantaneously.⁷⁸ The confinement of the accused before

⁷⁶ James Gibbs, "Poro Values and Courtroom Procedures in a Kpelle Courtroom," Southwestern Journal of Anthropology, XVIII (1962), pp. 341-50.

⁷⁷ See page 43.

⁷⁸ Afzelius, op. cit., p. 91.

the trial is with the family or friends of the accused and often in another village, for his protection. Before the actual ordeal begins, a brief pre-trial administration of poison occurs, presumably to determine guilt or innocence before the actual trial, at which time the poison will be more stringent in its actions.⁷⁹

A brief description of the basic oath-ordeal complex derived from the historical sources may be cited from the example given below for the Mende of Sierra Leone. Other variations in this basic form of the ordeal will be noted later as they occur. A more extensive description of the ordeal may be obtained by reading Afzelius.⁸⁰

A good deal of ceremony is used in connection with the administration of the ordeal. At a secret and sacred place in the woods, the people who assembled to see it administered form themselves into a circle, and the pots containing the liquid are placed in the center of the enclosed place. The accused then comes forward, having the scantiest apparel, but with a cord of palm-leaves bound round his waist, and seats himself in the center of the circle. After his accusation is announced, he makes a formal acknowledgement of all evil deeds of his past life, then invokes the name of God three times, and imprecates his wrath in case he is guilty of the particular crime laid to his charge ... He then steps forward and drinks freely of the red water.

If it nauseates and causes him to vomit freely, he suffers no serious injury and is at once proved innocent. If, on the other hand, it causes vertigo and he loses his self-control, it is regarded as evidence of guilt, and then all sorts of indignities and cruelties are practiced upon him. A general howl of indignation rises from the surrounding spectators. The children and others are encouraged to hoot at him, pelt him with stones, spit upon him, and in many instances he is seized by the heels and dragged through the bushes and over

⁷⁹ Ibid.

⁸⁰ See Appendix B

rocky places until his body is shamefully lacerated and life becomes extinct. On the other hand, if he escapes without injury, his character is purified ... After all this is over, he assembles the principal men of the town and arraigns his accusers before them, who in their turn, must submit to the same ordeal. No particular quantity of the red water is prescribed, and the amount ministered always depends on the scale of feeling in the community against the accused.⁸¹

It will be noted that guilt is determined by a combination of the result of various administrations of the poison. These have been called "cumulative trials," in that the guilty one is subjected to even more trials by sasswood until the members of the society attending the ceremony are satisfied with the results, either the accused's guilt or innocence.⁸²

Among the salient points of importance to be noted from the above description of the sasswood ordeal is the public nature of the trial so that consensus may be regarded as necessary for the effective completion of the trial. Though earlier chroniclers such as Afzelius had reported that a pre-trial "ordealette" took place for the preliminary determination of culpability,⁸³ most of the whole procedure from accusation to resolution of the verdict may be considered to be public. Afzelius has made note of the fact that the audience participated actively in all stages of the proceedings, from the supervision of the infusion of the bark to chasing the accused after the trial was over to assure honesty.⁸⁴

⁸¹Reverend J. Leighton Wilson, Western Africa: Its History, Condition and Prospect (New York: Harper Brothers, 1856).

⁸²Roberts, loc. cit.

⁸³Afzelius, op. cit., p. 25.

⁸⁴Ibid.

Another characteristic is the highly ritualized nature of the ordeal: the circular formation, the "palaver" of the elders, the invocation of the supernatural, and the execution of justice are performed with supernatural sanctions. The definition of and explanation of the use of ritual as it pertains to the sasswood ordeal has been described earlier.

A further aspect of the ordeal was described by Harriet Brittan, writing in 1860. She remarked that substitutes for the accused (i.e., by proxy) were not allowed and that all such substitutes could prove was their innocence or guilt of witchcraft or adultery and not the accused's.⁸⁵ This was the only source which made reference to such a fact.

II. THE POISON

The poison used in the sasswood ordeal is derived from the bark of the tree Erythrophloeum guileense. Other sources have reported the poisonous bark to be derived from various species of the genus Erythrophloeum, such as E. ivorensis.⁸⁶ The bark is first pounded in a mortar, which is reserved for this purpose, and then soaked in cold water until the alkaloid poison has been leached from the fibers. When this stage has been achieved, the infusion is said to be a reddish hue and bitter in taste; and some have described it as being a member of the curare group whose action is to relax muscles, raise the blood pressure

⁸⁵ Harriet Brittan, Everyday Life in Africa (London: Pudney and Russells, 1860), p. 80.

⁸⁶ Afzelius, op. cit., p. 26.

and to reduce pulse and respiration.⁸⁷ Most sources agree on the chemical's action as a vile and violent irritant and powerful emetic. Both of these functions would be manifested in the vomiting, which results determine the innocence of the individual accused of crimes. Those who do not regurgitate are judged guilty.

It should be noted that the action of the poison is roughly unpredictable. Where such variables as the strength of the concoction as well as the dosage can be manipulated by human interference, the poisonous effects frequently vary. Factors such as the physical constitution of the individual, the expectancy of the individual to be affected by the poison, and the length of time between doses may be considered to affect the outcome of the ordeal in such a way (that is, psychologically and undetectably) that the trial does in fact appear to be controlled by other than human agents, viz. the supernatural.

It should be noted that most of the West Atlantic groups do not think of the poison used in this ordeal as being poison per se. In most cases reported, the substance drunk by the accused was not regarded as having been poisonous, but rather as having been infused with divine power which would become active as a poison if the accused were guilty.⁸⁸ Among the Temne, for example, the logic is that the sasswood specialist knows that "certain evil spirits" dislike certain herbs, which, if administered to the one possessed, will have the effect of

⁸⁷Kirk-Greene, op. cit., p. 52.

⁸⁸Evans-Pritchard, op. cit., p. 344.

disgusting the spirit and make him fly away.⁸⁹ This fact is substantiated further by the fact that the names for poison are not the same as for the sasswood ordeal medicine. For instance, the Mano term for poison is wu, while the name for sasswood is gli, which is related in turn to a word, gli:, meaning "to burn."⁹⁰

In this respect the earliest record of the poison, though in another aspect, was reported by Cadomosto in 1455, who stated that the Wolof "squeeze blood from a poisonous snake and mix it with the juice of a certain tree and prepare the compound for poisoning arrows," at which he concluded that they were "great magicians."⁹¹ The certain tree could well belong to the genus Erythrophloeum, since its use is mentioned as being a poison.

In addition, a public record office report cites the existence of "red wood" being available in 1648 on the Rivers Cerbero (Sherbro), Kiddam, Maray, and Melyn within the range of the present West Atlantic tribes.⁹² At this point, it is apparent that this wood was regarded exclusively as a building material or for manufacturing mortars and not for its poisonous uses, for these were not mentioned. It is significant to note that redwood is recorded at this early date and that the name has remained to the present.

⁸⁹K. J. Beatty, Human Leopards (London: Hugh Rees, 1915), p. 25.

⁹⁰Schwab, op. cit., p. 379.

⁹¹G. R. Crone, The Voyages of Cadomosto (London: Hakluyt Society, 1937), p. 45.

⁹²Christopher Fyfe, Sierra Leone Inheritance (London: Oxford University Press, 1964), p. 60.

III. THE SASSWOOD SPECIALIST

Another characteristic of the sasswood ordeal is the presence of and participation of the legal-religious specialist in the administration of the trial. For the Dan, Gio, Mano, Loma, Geh and other groups of the West Atlantic cluster, this individual represents a class of special elders called zo, who are the hunters of witches and social "police" authorized by the Poro and who own the most powerful "medicine" for catching witches. Any big zo is supposed to know about both poisons and witchcraft.⁹³ In other tribes, such as the Kru, the specialist may be a revered elder, but he is not the local chief or the lineage head.⁹⁴ Among other West African groups outside of the West Atlantic cluster, he has been called an "oath swearer"; and often confronting a person "with one of these dreaded specialists is enough to induce him to present additional evidence or alter his statement."⁹⁵ In any case, only men who know medicine, especially sasswood medicine, well and themselves possess strong medicine can conduct the ordeals.⁹⁶ In addition, he must be able to remain sensitive to public opinion regarding the fate of the accused because the final authority over the administration of the poison ordeal rests in the specialist's hands in that it is he who determines the dosage and the condition for the trial. Since the sasswood

⁹³ Schwab, op. cit., p. 374.

⁹⁴ H. Bridge, Journal of an African Cruiser (London: Dawsons, 1845).

⁹⁵ H. Huber, "Ritual Oaths as Instruments of Coercion and Self-Defense among the Adangme of Ghana," Africa, XXIX (1959), pp. 41-49.

⁹⁶ Schwab, op. cit., p. 428.

practitioner has such control over these and other considerations of the trial, it may be said that the will of the spirits in this legal matter is less important and determinative than the act of the specialist, who may be considered to be the actual judge.

IV. THE ACCUSERS AND THE ACCUSED

Conditions which require the performance of the sasswood ordeal are a product of the nature of the accused and of the accuser. In order for a trial to be performed, one has to be accused of "high crimes" as they are defined for the various West Atlantic tribes. Before discussing the specific crimes which necessitate the ordeal by sasswood or oath-swearing, one would do well to consider the general nature of the accusations in relation to the legal systems of the groups of the West Atlantic cluster.

In general, the accusations of the social high crimes are arbitrary in that they are not usually directly related to the actual guilt of the individual accused of the crime. Unless the guilty party has been caught in the act, anybody is potentially accusable of the crime. On the other hand, accusations are highly selective in other respects.⁹⁷ Thus, depending on the group concerned, kin may be exempt from accusations by other kin which would result in the submission to the sasswood ordeal.

The specific crimes which are subject to the sasswood ordeal include four social transgressions among the West Atlantic groups: adultery, murder, witchcraft, and less frequently theft. Witchcraft constitutes perhaps the greatest number of such accusations.

⁹⁷Gluckman, *op. cit.*, p. 269.

Witchcraft has been cited as "an almost, if not completely, culturally universal explanation for illness, injury, and unexpected and unexplained deaths."⁹⁸ Indigenous systems of causality allege that most forms of physical and psychical disorder are inexplicable in terms of natural causes, such as infectious diseases, psychosomatic complaints, and metabolic disorders. In addition, in the West African religious and ideological framework, no death is precisely natural.⁹⁹ Even the death of an old man of 95 years will be explained by the intervention of witches: it is taken for granted that the old man would have died eventually, but the question of the manner of his death, the precise time and place of death are considered as evidence that the death of the individual had been manipulated by a witch. In addition, even natural calamities such as drowning and other accidents are often not interpreted in terms of natural causation; and in all these cases, witchcraft is viewed as the instigator of the trouble. It is thought that accusations of witchcraft make it possible to allay diffuse and unnamed fears which might otherwise result in neuroses and societal dysfunction.¹⁰⁰ In this sense, accusations of witchcraft serve "scapegoat" functions.

Following this line of reasoning, accusations are defined as a simple projection of repressed hostility; that is, one blames another for his own faults and the object of the accusation usually appears to be one of whom the accuser is jealous, for whatever reasons.¹⁰¹ In

⁹⁸Wallace, op. cit., p. 113.

⁹⁹Parrinder, loc. cit.

¹⁰⁰Wallace, op. cit., p. 180.

¹⁰¹Ibid.

keeping with this notion, it has been noted that "the prevalence of and accusations of witchcraft seem to be determined both by the natural cleavage lines in the social structure and by the success of the society in handling conflict by such secular means as court proceedings and arbitration."¹⁰² It will be noted later that social position is important in ascertaining who will be accused, as well as the efficiency of the group in bringing its accusations to fruition. Where these methods are not efficient, that is, where the guilty are not known, the likelihood of accusations not based on the existence of "evidence" would increase. In this aspect, it has been noted that "the fear of witchcraft should be regarded ... in societies without courts of law, as a principal means for maintaining standards of widespread conformity to conventional, non-exploitive standards of propriety in interpersonal relationships of all kinds."¹⁰³

Basically, the purpose of accusations, especially of witchcraft, lies in the social necessity to achieve a new balance of power and wealth within the society. The schism into factions resulting from the public accusations extant in the group arises partly out of personal ambitions and partly out of self-interestedness in some of the members of the society.¹⁰⁴ That is, one who is envious of another, whether through the latter's wealth, social position, or political achievements, will blame him for the former's bad luck. Such a function may be regar-

¹⁰²Wallace, op. cit., p. 182.

¹⁰³Wallace, op. cit., p. 184.

¹⁰⁴Gluckman, op. cit., p. 272.

ded as roughly similar to gossiping in peasant societies. In that case, individuals "think of their universe as one in which the good things in life are limited and in unexpandable quantities and hence personal gain must be at the expense of others."¹⁰⁵ These social-equalizing functions would be practical as more than a mere tension- and grudge-reliever. By being accused of witchcraft or murder or otherwise being the focus of social disapprobation, the wealthy or powerful individual may be forced to relinquish all or part of his wealth if found guilty, and in any event would necessarily have to pay a legal fee to the specialist in the form of slaves, wealth, or services.¹⁰⁶ Thus, accusations made (or the possibility of their being made) in connection with the sasswood ordeal are seen to have a social equalizing effect. Substantiation and further discussion of this purpose will be considered in a later section.

Adultery presents as a class of crime which may be regarded as essentially contrary to the stability and cohesion of the group by exacerbating existing rivalries as well as promulgating new ones. This attitude has been seen as another manifestation of the "traitor within the gates" notions described for witchcraft and murder.¹⁰⁷ Note will be made of the adultery case settled by sasswood in the Dan myth.

Two sources pointed out another condition of the use of the sass-

¹⁰⁵ G. Foster, "The Image of the Limited Good," Peasant Society, Ed. G. Foster, M. Diaz, and J. Potter (Boston: Little Brown and Co., 1967), p. 300.

¹⁰⁶ Afzelius, op. cit., p. 25.

¹⁰⁷ L. Mair, "Witchcraft as a Problem in the Study of Religion," Cahiers d'Etude Africaines, IV (1964), pp. 335-348.

wood ordeal which would broaden the witchcraft classification to include members of the Leopard Society in Sierra Leone and Liberia. Strong¹⁰⁸ and Wilson¹⁰⁹ reported that men accused of being members of the Leopard Society--a special class of witch who practised human sacrifice and were thought to change into leopards at night¹¹⁰--were required to submit to the ordeal and usually confessed after the first draught. In keeping with national laws now in existence, the guilty were sentenced to hard labor for life rather than being killed. No record of the Leopard Society appears to have been made before 1856, and it may be regarded as an "underground" movement for meting out indigenous vengeance other than through white laws. Lady Dorothy Mills reported that this purpose of the sasswood ordeal had been used since "time immemorial."¹¹¹

V. ORIGIN MYTHS

As mentioned above, the laws, morals, codes of conduct, and ethics of a group are bound to the supernatural in the mythology of a society. Origin myths answer questions on the manner in which the world began and serve to establish an order among values and to justify, by reference to these values, the major customs and institutions of the society.¹¹²

¹⁰⁸R. Strong, The African Republic of Liberia (Cambridge: Harvard University Press, 1936), p. 103.

¹⁰⁹Wilson, op. cit., p. 193.

¹¹⁰Beatty, op. cit., p. 14.

¹¹¹Lady Dorothy Mills, Through Liberia (London: Duckworth Press, 1926), p. 125.

¹¹²Wallace, op. cit., pp. 57-58.

This classification of myth would include those on the origins of the legal-religious procedures such as the sasswood ordeal; and as part of the oral tradition, they are one of the methods by which a researcher may gain information on the history of and development of a certain practice.

To date, the only recorded complete origin myth for the sasswood ordeal has been provided by a German chronicler, Eberhard Fischer. In his interpretations of the oral traditions of the western Dan group in Liberia, Fischer noted correlations between the origins of witchcraft, witchhunters, and the secret society of the Dan and the problem of death by poison and adultery. He concluded that poison was initially developed for the purpose of solving the population problem by eliminating the elderly who are past their productive ages which would prove an economic drain on the younger members of the society. God (Xra) gave the Dan "leopard poison" (ge du), and it was placed in the hands of a specialist who was an "esteemed old person."¹¹³ The possessor of the poison with his ge du lived in a hut built just for him and distributed the poison only "when the majority of the people so desired."¹¹⁴ In this case, the poison is intended to act to counter the resource drain by killing the elderly. In addition, one can see a secondary function in that the young are able to balance out the influence of the elders by being able to "retaliate" against them. At least, so goes the legend.

The following translation of the remainder of the origin myth demonstrates the relationship between the secret societies as agents of social control and the instigation of the sasswood ordeal.

¹¹³Fischer, op. cit., p. 695.

¹¹⁴Ibid.

The elders were therefore poisoned so that the young could have a comfortable place so that they could settle there.

Once the people had settled down to such an existence, two wealthy men called bedum lived together in the village. Each was a lineage head. They were both masters in their village. The chief wife of one had fallen in love with another lineage head. She persuaded the stranger to secretly steal a small piece of the ge du (leopard poison) and give it to her own husband to eat. The guard over the poison was bribed, and he allowed the two of them to take a significant portion of the ge du. They took it and poisoned the husband.

All the people in the village were disturbed by this occurrence. They said, "No death could occur without ge du. We must go to Xra and get him to advise us on the death of the lineage head."

Thus it was that Xra gave men that group of people whom one calls the zo (members and leaders of the Poro secret society). These zo masters were given the seeds of the sasswood tree by Xra. In addition, he gave them bark from the tree. And Xra said, "The zo will reveal to you the name of the one who has stolen the ge du for his own purposes. Each who denies the charge must drink the sasswood draught. Plant the seeds that I have given to you. Make the draught from the bark of a full-grown tree." In the night the zo found the woman and the man and charged them both with the death of her husband. The woman confessed her complicity. The lineage head denied it, and he took a swallow of the gli (sasswood draught) as he was commanded to do. Thus it was that he died.

That is the tale of how Xra created man and how he introduced death (ga) to them. Furthermore, it is the story of how Xra delegated special powers to certain men (zo) such that they can hunt witches and confirm their work through the gift of the sasswood poison.¹¹⁵

In the myth, certain "ideal" aspects of the relation of sasswood to the society in general becomes evident. Most obviously the ordeal has been used for the detection of guilt and falsehoods. More specifically, the principal crime was the misuse and abuse of the divinely-bequeathed ge du for anti-social purposes, such as adultery. Corruption

¹¹⁵Fischer, loc. cit.

of the ge du guard is evident and may be regarded as a further sign of the moral decline of the community. Furthermore, the care and administration of the sasswood is under the direction of the zo, or legal-religious representative of the Poro secret society, and thereby a distinctive "policing" function has been established.

Though the principal crime committed in the myth appears to be adultery, so should one also take notice of the fact that murder was committed to attain the liaison. What is distinctive in this case is the fact that the murder was committed by a poison which was given by Xra, making the crime doubly heinous. Though it is not mentioned in this myth, witchcraft crimes constitute the other special focus of the use of the sasswood ordeal.

By virtue of the fact that the myth had become part of the oral tradition, by the time Fischer reported in 1967, one can infer that such supernatural sanctions manifested through the practice of the sasswood ordeal still present a viable part of the Dan legal and moral code and that these divinely ordained practices function still as punitive measures. Indeed, the tone of the tale is not "this is what our people used to think", but rather "this is how we think today."

Similar reports for other sasswood-using groups outside the West Atlantic cluster substantiate the probable origins of the complex in the users' eyes. Among the Adangme of Ghana, for example, old people, particularly functionaries acting as representatives of the tribal spirits, state that people used to be respectful, humble, and trustworthy. As a result, they say, the people grew old and deaths as a result of magic (we bem) were rare. Later with the moral slackening of the society,

it became necessary to invoke stricter sanctions, by means of ordeals and oaths, and thereby, order, authority, and justice were preserved.¹¹⁶

Only one proverb related to sasswood has been reported, and it is for the Mende. "Ba bi bunde bu, bia bi gole a gbou," has been translated as "If you are under the sasswood tree, your skin will become red."¹¹⁷ This may be interpreted as a statement that the sasswood makes one's guilt evident; that is, it incriminates the guilty.

VI. INTRACULTURAL CORRELATIONS

The oath-ordeal complex does not exist as an independent entity or as some cultural quirk. Correlations with other aspects of culture should be considered in the functional study of the complex. As noted above, oaths and ordeals may be seen as solemn, formal "tests of faith" in the determination of guilt or innocence in the face of specific accusations. It should also be remembered that oaths and ordeals are qualitatively different. These differences have been related by some authors to other cultural aspects including political organization, social structure, economic conditions, and child-rearing practices.¹¹⁸ It is the opinion of this author that child-rearing practices form a most significant factor in influencing the existence of oaths and ordeals and that socialization is affected in turn by the other correlations.

¹¹⁶H. Huber, op. cit., p. 47.

¹¹⁷F. M. H. Migeod, A View of Sierra Leone (London: Kegan Paul, 1926), p. 277.

¹¹⁸Roberts, op. cit., p. 186.

Economic Correlations

According to John Roberts, the specific occurrence of either or both aspects of the oath-ordeal complex has been linked statistically with specific economic modes.¹¹⁹ The groups of the West Atlantic tribes primarily subsist by agriculture with shifting swidden cultivation and fallowing, with principally rice, cassava, and other Malaysian crops.¹²⁰ In addition, small stock is kept, though a few cattle are retained by the people for brideprice, and the stock is not milked. Cattle, then, may be regarded less as a "raw material" of the economic life, but more as an item of wealth. The complex is also alleged to be correlated with "economic complexity,"¹²¹ which Roberts interpreted as being the existence of a money economy. This aspect is well developed among the West Atlantic groups as a "unique type of currency, consisting of T-shaped pieces of forged iron finds acceptance over much of the region,"¹²² which has been used historically. Since the majority of the groups practice both oaths and ordeals, these correlations may be regarded as being significant.

The reason for the correlation between the existence of swidden agriculture and ordeals may be a reflection of the obedience-training which would be required in the cooperative ventures of agricultural societies (i.e., being part of a "team"), requiring close adherence to and obedience to the rules. On the other hand, the exclusive existence

¹¹⁹ Ibid.

¹²⁰ Murdock, op. cit., p. 261.

¹²¹ Roberts, op. cit., p. 193.

¹²² Murdock, loc. cit.

of oaths with herding may be considered as a product of individual responsibility which would be necessary in this practice as more autonomous and independent.

It has been noted that animal domestication is thought to be associated with the practice of oath-swearing and therefore the latter is a simpler, more "primitive," more basic function in its less ritualized form and purpose of direct supplication to the supernatural.¹²³ It may be that this is the reason for the survival of the practice into industrial Africa, especially in light of the prohibitions made by the government on the practice of ordeals.

Social and Political Correlations

In Roberts' cross-cultural investigations, ordeals and oaths were both found to be associated with communities of greater than 1000 members. This relatively large population was described as having "intermediate to high degree of political organization,"¹²⁴ which Roberts has interpreted to mean the range from the system of "minimal states and dependent societies" to the state level. The system among the West Atlantic tribes may be described as being of the intermediate type, with political authority on the local level normally allocated to the headman and council of elders and petty paramount chiefs over small districts.¹²⁵ Roberts has summarized his correlation as follows.

Ordeals occur in much more specific situations than oaths. They are found where there is something of a general, but weak, authority system. When the authority system becomes

¹²³Roberts, loc. cit.

¹²⁴Roberts, op. cit., p. 208.

¹²⁵Murdock, loc. cit.

strong enough to enforce all decisions, right or wrong, without fear of the effect on public opinion, ordeals can then disappear.¹²⁶

The power structure introduced by the Protectorate system may also be interpreted as becoming a "stronger" political system which could make possible the diminishment of the ordeals in their importance.

It will be remembered from the description of the sasswood ordeal that palaver is a characteristic of the ordeal, in that the case is assessed in front of a council of elders and the local chief or headman is consulted before the administration of the sasswood draught in order to ascertain how it shall proceed. The correlation with respect to population size and political organization may be seen in the fact that the direct control over the society's members is necessarily minimal; and the fear effected by the threat of the ordeal and subsequent supernatural sanctions for crimes would serve to extend this direct control. The sanctions of the ordeal compensate for the leaders' inability to deal directly and instantaneously with all possible offenders, at least in regard to key "crimes." The "violent" nature of the ordeal would stress the point of cohesion by setting an example.

It can be seen that a weak political organization is associated with the practice of the ordeals in that the fear inspired by the practice serves to "nip in the bud" the tendencies for criminal action which would be socially disruptive, while oath-swearing would indicate a stronger organization where such strict punitive sanctions would not be necessary to the same extent.

¹²⁶Roberts, loc. cit.

A high degree of social stratification also has been noted in conjunction with the existence of oaths and ordeals,¹²⁷ presumably because of certain discrepancies in power or wealth resulting in most communities which create situations of envy, enmity, and suspicion. Historical evidence would seem to substantiate this connection made by Roberts. Afzelius,¹²⁸ Bridge,¹²⁹ and Corry¹³⁰ reported that it was usually the wealthy individual of the society they studied who was accused of witchcraft, and it was he who had to submit to the sasswood ordeal.

Residence, descent, and inheritance follow the patriline in all the tribes of the West Atlantic cluster, though very few matrilineal associations have been noted (e.g., among the Sherbro).¹³¹ Roberts has examined the data and made the further correlation between the practice of ordeals and the incidence of what he describes as being "mother-child households."¹³² Since the women of most tribes of West Atlantic origin breast-feed their children for at least two years after birth (or until the infant walks)¹³³ and the husband is refused sexual access to his wife during this period, the mother-child relationship can be seen to be exclusive and intimate, inculcating a dependency. Oaths are one-sixth as frequent as ordeals among this household type. This close,

¹²⁷ Ibid.

¹²⁸ Afzelius, op. cit., p. 24.

¹²⁹ Bridge, op. cit., p. 67.

¹³⁰ Corry, loc. cit.

¹³¹ Hall, loc. cit.

¹³² Roberts, op. cit., p. 195.

¹³³ Schwab, op. cit., p. 216.

dependent relationship results in greater obedience training than responsibility training in that one has learned from infancy to do precisely what mother says and not to act independently. This would in turn produce a greater frequency of ordeals in which case one is being punished for disobeying the supernatural and not being honest with them.

Socialization

The most interesting correlation demonstrated by Roberts is that between the existence of oaths and ordeals and the psychological states resulting from child socialization methods.¹³⁴ In this regard the discussion at this point will be concerned with the differences extant between responsibility training and obedience training. Responsible behavior has been defined in contrast to obedience training.

The extreme of responsibility in this sense (of performance of tasks, duties, and routines which are demanded by the culture) would be found in the willing performance of laborious duties or tasks, which the child has come to carry out on his own at the proper time and can be trusted to do. It can be contrasted with high obedience, where the child may passively do what he is told on any occasion, but has not himself learned to perform duties without immediate instruction.¹³⁵

Most of the children of the groups such as the Gio appear to be trained in obedience. They are given explicit tasks at a very early age. Corporal punishment, though used infrequently, is employed for disobedience. As an example of parental attitudes of their children's non-responsibility, "the Gio state that they don't ... expect much help from their

¹³⁴Roberts, op. cit., p. 205.

¹³⁵Roberts, op. cit., p. 206.

children" nor is it worth trying to teach them before six years of age, because "they see some food, and then forget what you said."¹³⁶ In addition, children are usually under direct parental supervision for the majority of the time. The conclusion is that obedience training predominates, probably as a result of swidden agriculture in that this economic mode, generally, requires more of a cooperative effort than herding.¹³⁷

The relation of oath-swearing and responsibility training may be inferred by noting that if a member of the society can be trusted to be responsible and independently honest in social and other matters, it would seem logical that this same trust would be projected to his legal behavior.¹³⁸ Ordeals present a contrasting picture: in this case, the sanctions appear to be external, rather like the dichotomy which exists between the concepts of shame and guilt. Because in the case of ordeals, the point is to be "caught" at something by the intercession of human agents working in the "service of the supernatural," one can infer a high level of anxiety which would result in autonomic physiological responses, which would, in turn, "prove" culpability. The oath-swearer, on the other hand, has nothing to fear in terms of "natural" retribution and any justice meted out in this case would be between the accused and the spirit to whom he swears; that is, his sanctions are "internal" in that his own concept of crime and punishment determines whether or not the swear will be effective.

In summary, Roberts has demonstrated correlations extant between

¹³⁶ Schwab, op. cit., p. 219.

¹³⁷ Gibbs (1965), op. cit., p. 208.

¹³⁸ Roberts, loc. cit.

various aspects of a culture including social, political, economic, and psychological, and the differential practicing of oaths and ordeals. By way of a nomothetic statement, these two practices appear to be generally associated with relatively complex societies, which, in the presence of somewhat ineffective authority and power structures, require special means for the maintenance of law and order. They are used because sheer force and techniques of coercion are insufficient or potentially destructive methods.

VII. FUNCTIONS

From a closer reading of the above descriptions of the characteristics of the complex, the various functions of the oath-ordeal complex may be deduced. The functions are relevant to this study in that any approach to the study of culture change or stability requires an analysis of the use, meaning, and function as well as some understanding of the operation of the complex in relation to the whole of the culture. Cultural items, whether material or non-material, do not exist free-floating in a void: they are integrated, more or less, with other aspects of the culture.

As a Legal Mechanism

Perhaps the most obvious function of the sasswood ordeal and the concomitant oaths is that of being a strictly legal mechanism. Such a function can be split into genuine belief on the part of its users that the complex actually functions to determine guilt or innocence and otherwise acts as a legal agent, being at the same time both judge and executioner. The action in this case is directly meted out by the di-

vine and is immediate. The second aspect would be symbolic belief, especially in the case of oaths, that justice will be served in the end and that by having performed the prescribed ritual of oath-swearing alone, the case will be taken care of. In the situation of oaths, the action is delayed, but also direct. In both instances, the individual would see both aspects as effectively solving legal and moral issues to the satisfaction of the society. In the case of oaths' delayed action ("general warrant") and the ordeals' immediate action, a more complete coverage for all crimes--past, present, and future--is achieved and provides a greater legal security for the society.

As a Social Unifier

Another function closely related to the carrying out of justice is the social unifying effect of oaths and ordeals. During and after a crime such as witchcraft has been committed, there follows a period of generalized social malaise and tension whose diffused focus becomes solidified in the person of the accused.¹³⁹ During the highly emotional period preceding the accusation of the individual, the society is regarded as being in a state of social and moral disequilibrium which has resulted from the consequences of the crime as well as the uncertainties of who is the culprit and the vulnerability of the other members of the group to similar attack, such as witchcraft or adultery. By participa-

¹³⁹ An analogous function was proposed by Malinowski (Magic, Science and Religion, 1948: p. 52) in his noting that death in a society "threatens the very cohesion and solidarity of the group" and that religion and the ceremonial of death "counteract the centrifugal forces of fear and demoralization and ... provide the most powerful means of reintegration of the group's shaken solidarity."

ting in the emotional, solemn ritual of oath-swearing and ordeals, the members are cathartically relieved and the society itself returns to a state of equilibrium. This is achieved through the deliberate, public, and conciliatory actions of the ordeals and oaths.

As an Equalizer of Social Status

Among the West Atlantic groups studied, oaths and ordeals serve to equalize inequities of social status among the individuals of the society. Some instances were reported where men only, acting as elders, could accuse those persons of being witches.¹⁴⁰ In addition, with the exception of very rare cases in which old women were allowed to accuse others of witchcraft, females were the recipients of the accusations and were never the instigators.¹⁴¹ It should be noted that both men and women could be accused of witchcraft, but only men (and old women) could accuse. In keeping with the fact that witchcraft accusations, like gossiping, are usually directed at those who invite the envy and jealousy and mistrust of others in the society, one may see that by and large it is the have-not's who accuse the have's of witchcraft. Whether innocent or guilty, the man so blamed must pay a legal fee to the sasswood specialist and must be publicly accused, thereby "satisfying" the public that justice is being correctly exacted (that is, that the one of whom they are jealous is being shown for less-than-mighty). Furthermore, if the party is found to be guilty, he will be removed from the society through his death; and upon his demise, cases have been noted where the deceased's

¹⁴⁰Fischer, loc. cit.

¹⁴¹Evans-Pritchard, op. cit., p. 346.

family is sold into slavery and his goods redistributed throughout the society as a whole.¹⁴² For example, Horatio Bridge, writing in the nineteenth century, reported that the accused's cattle were redistributed after his proof of guilt and subsequent death, demonstrating the notion of the social equalizing function.¹⁴³ In this way, one can see that not only are the possessions of the accused distributed on a more equitable basis throughout the society, but also the family of the envied one may be reduced to slavery, which may be regarded as being "very satisfying" to the group.

The Association with Slavery

Another function follows from the preceding. It was noted that in some instances the families of the guilty were sold into slavery, which fact has been established in several sources. For instance, a nineteenth century report on the slave trade states that, "natives also sometimes become slaves, in consequence of crimes, as well as (the fact) that it is not an uncommon thing on the coast, to falsely impute crimes for the sake of seeking persons so accused of crimes."¹⁴⁴ The crimes "falsely imputed" were adultery and witchcraft, which automatically called for the sasswood ordeal. George Thompson, a missionary writing in 1858, described the fact that among the Mende the chiefs went to war or else

¹⁴² Afzelius, op. cit., p. 24ff.

¹⁴³ Bridge, op. cit., p. 68.

¹⁴⁴ W. O. Blake, The History of Slavery and the Slave Trade (Columbia: J. and H. Miller, Publishers, 1858), p. 113.

brought false charges against the individuals in order that they might be sold into slavery.¹⁴⁵ John Matthews made reference to the fact that the penalty for apparently even an accusation of witchcraft was "slavery inevitable."¹⁴⁶ These citations indicate a further consequence of the ordeal in the intensification of the slave trade which dominated the eighteenth and nineteenth centuries. It would appear that supernatural approval of the increased wealth of the accusers was given in exchange for bringing so many "miscreants" to justice. Analogies may be seen in the Protestant (Calvinist) ethic of God's will and favor being manifested in the economic success of His flock, just as those who were successful in the slave trade became economically well-off because of their performance of "justice" through ritual means.

Politics and "Police"

The relation of the Poro secret society and the existence of the sassa-wood ordeal manifests yet another function of the ordeal: political control and a "social police force." As noted in the Dan myth, the witch-hunting activities were assigned to the zo, or legal-religious specialists. As reported in Harley, all major offenses against the society or against the Poro, including murder and witchcraft, would be subject to a trial that was held by the Ki La mi society in secrecy, so that society secrets would not be revealed to the public.¹⁴⁷ The

¹⁴⁵ G. Thompson, The Palm Land (London: Dawsons, 1858).

¹⁴⁶ Fyfe, op. cit., p. 92.

¹⁴⁷ G. Harley, Masks as Agents of Social Control in Northeastern Liberia, Papers of the Peabody Museum of American Archaeology and Ethnology, Volume XXXII, No. 2, (Cambridge: Harvard University Press, 1947), p. viii.

sentence, trial by sasswood or execution, would occur at a later date in public. This demonstrates that the Poro also used the sasswood ordeal for its own purposes.

Perhaps the best way of showing the relationship between sasswood and the administration of justice and the application of political power would be to quote Harley. In describing the Poro among the Gio, he states that

... There was a tendency to manipulate the mechanism of justice and its execution so that no one would appear publicly responsible either for the decision or its execution. The best example of this is the sasswood ordeal, in which the poison cup drunk by the accused was supposed to make its own decision automatically. If the individual were guilty, the sasswood executed him on the spot with the same infallible mechanism. There was no judge to be the object of resentment of those who dissented ... To make the whole thing still further impersonal, the sasswood ordeal was presided over by an individual whose identity was hidden under a great mask, representing not an ancestor, but the great forest demon. The idea was inherent that it was on this authority that this trial was conducted and that he had made this public appearance for that specific purpose. There was also the idea that the poison portion was the real judge of the guilty. A detail of the sasswood ritual refers the whole responsibility to the tree itself.

In the sasswood ordeal we have mask, medicine, and mechanism all sharing the blame. My use here of the term "medicine" perhaps needs modification. It is really mana, or hidden power inherent in the drug, which does the work. The mechanism is merely to put that power into operation and to protect it from the contrary forces or powers that would tend to neutralize it; for it is well recognized that if the mana of any substance fails to work, it is either because there is present a more powerful, opposing mana, or because the ritual mechanism has not been properly carried out. In the case of the mask, the inherent mana should be considered as the most powerful possible.¹⁴⁸

It may be deduced from the quotation that the zo manipulated justice in that by substituting the mask as the agent of social control such that

¹⁴⁸ Harley, op. cit., p. ix.

the individual acting in a legal capacity is able to remain in a position where he does not have to accept the consequences of these juristic actions. Their knowledge of the belief systems of the society that dictates those situations that will require the sasswood ordeal as well as their knowledge of the poison's varying action result in a position of authority in that it is they who, in effect, "write" the rules. Masks in the Poro secret society serve the purpose of making distant the association between the human agents (zo) and the effect of the judgment manifested through the action of the poison.

The other than political-legal functions of the Poro will not be considered at this time other than to note that the Poro

forms a very powerful and secret organization to control all its members. The leaders of the society hold sway over common men, impose laws upon them, and keep them in check by the fear of the supernatural power with which they are believed to be endowed. This fear lies behind all heads of families and men of standing, behind all chiefs and political leaders.¹⁴⁹

The Poro secret society, or the equivalent, exists among all of the West Atlantic tribes and has been described as one of the characteristics of this culture area.

There are numerous historical references to the Poro society. The earliest mention was in 1560 in the report of an Englishman, John Hawkins, who sailed by the West African coast. What he termed the "contuberia" judged the cases of adultery among the Temne.¹⁵⁰ According to Hawkins in these cases, swearing was done to the spirit of the Poro, so that there is evidence for the early association between the Poro and oath-

¹⁴⁹Harley, op. cit., p. 30.

¹⁵⁰Fyfe, op. cit., p. 346.

swearing.

In 1620 Olfert Dapper made reference to the existence of the "Bellipaar" (or Poro) society which tried witchcraft and adultery cases. All unexplained deaths were attributable to witchcraft, and one may infer that the sasswood ordeal, or oath-swearing, were used to detect the culpability of the accused individuals.¹⁵¹ The Mano and Loma name for the secret society is bele (or "Bellipaar"), which would seem to substantiate Dapper's observation.¹⁵²

Kenneth Little in 1955 stated that the secret societies were in the possession of the strongest medicine used in swearing.¹⁵³ While other "unofficial" medicines were extant among the Mende, the only real, genuine, and official usage was of the Poro medicine.

As an Educational Tool

The final function of the sasswood ordeal may be regarded as an educational tool; and in this capacity, it is related to the operation of the Poro society. Where the Poro is meant to provide for the indoctrination of the boys in tribal lore and custom, the legal-religious aspect of the Poro-sponsored, zo-conducted sasswood ordeals serve to further inculcate the audience with moral lessons about socially defined "grave matters." This may be construed as possessing a mnemonic function.

¹⁵¹ O. Dapper, Umbständliche und Eigentliche Beschreibung von Afrika (Leiden: Jacob von Meurs, 1620).

¹⁵² Schwab, op. cit., p. 486.

¹⁵³ Kenneth Little, The Mende of Sierra Leone (London: Routledge and Kegan Paul, 1954), p. 129.

This does not mean that the individuals are told, in a "coded message," that certain actions are detrimental to the society and are therefore illegal. The effect is less obvious. Like the trauma of circumcision and subincision, the pain associated with the poison ordeal may be said to function to ingrain the principles into the recipients' and the observers' minds.¹⁵⁴ Something that is either painful or associated with pain in the accused's and audience's eyes is not easily forgotten. The sasswood ordeal reminds the individuals in a society that the consequences for misbehaving are painful and will be exacted for transgressions of the moral code.

Chapter IV in dealing with manifestations of resilience and change in the ordeals and oath-swearing among the West Atlantic groups will reconsider these functions in light of past and present conditions.

¹⁵⁴ Peter Farb, The Indians of North America (New York: Avon Books, 1968), p. 100.

CHAPTER IV

HISTORICAL INFLUENCES AND MANIFESTATIONS OF CHANGE

CHAPTER IV

HISTORICAL INFLUENCES

AND MANIFESTATIONS OF CHANGE

Before discussing the manifestations of change in the sasswood ordeal and possible motivations for those changes, it seems appropriate to discuss at this point generally what might be factors which could be regarded as variables in effecting change and the likelihood of such change with respect to these variables. Preconditions of culture change are especially pertinent to the case such as the present one where one trait-complex is being considered. It has been noted earlier that cultural elements are thought to change with greater rapidity and more facilely than systems of traits or complexes, so that the present study makes it even more important to study the impetus to change as well as the probabillity of change.¹⁵⁵ We shall begin by reiterating the characteristics of the sasswood ordeal with a view to ascertaining its vulnerability to change.

I. CULTURE CHANGE AND THE ORDEAL

The sasswood ordeal and its coincident oath-swearing belong to the classification of cultural behavior described as legal and religious, which in turn have been delineated as one of the crucial "basic main-

¹⁵⁵ See Page 4.

tenance, security, and interaction systems of a culture."¹⁵⁶ The ordeal is necessary to the people practicing it because of its ability to solve problems of the society, with especial regard to morality and group rules, which would otherwise result in states of disequilibrium in the face of their irresolution, necessarily harmful to the society's cohesion. The sasswood ordeal would belong to this classification.

The essentials of ideological security (that is) basic intellectual and religious assumptions, and interpretations as to the existence, power, providence, morality, welfare, and attendant emotional tensions. Perhaps most consistently stable have been those beliefs and behaviors which become active at times of extreme crisis and insecurity, as with natural calamity, accident, sickness, death and disposal of the dead, or the spiritual threat of pollution, as with black magic.¹⁵⁷

In addition, these essentials of ideological security are described as being tempered with emotional overtones which justify their existence. These emotions usually are associated with the "essentials" from the time of child-training; and due to these factors of deeply engrained emotional "knowledge" of the correctness of such practices, they are thought to be especially resistant to change. In the case of the sasswood ordeal, the elements which would tend to remain stable because of the above defined characteristic of being "essential," are the use of the poison ordeals in the light of "drinking fetish" in which the draught is thought to be suffused with supernatural, divinatory power of its own; its use in the finding and punishment of witches who form an integral part of the group's criminals, reflecting as they do a "projection" of the deviant element of the society¹⁵⁸; and finally its importance

¹⁵⁶ Keesing, op. cit., p. 411

¹⁵⁷ Ibid.

¹⁵⁸ Wallace, op. cit., pp. 177-187.

in being a public trial in which the social consensus is obtained. Embued as the sasswood ordeal is with symbolic meaning and assuming its ritual form, it may be postulated that a change in the basic structure of the ordeal---its function less than its form---would be either very slow, non-existent, or, at the other extreme, revolutionary due to rampant proselyzation by a conquering peoples, in which case reintegration of the society with respect to this one trait-complex would be difficult to achieve. Because of the ordeal's close link to legal and religious life, it may be generally assumed that the ordeal would tend to remain constant through time.

What impetus there has been to change among the West Atlantic tribes may be regarded as a consequence of contact diffusion, as opposed to internal invention or innovation. Two variables, again defined by Keesing, in particular seem to be important in this case of the sasswood ordeal.¹⁵⁹ General flexibility of the recipient culture is significant in that its total composition---its rigidity or its malleability---in all aspects are critical to the determination of whether the society will accept the adjustments. With regard to flexibility, it would appear that the West Atlantic tribes are split. The coastal tribes seem generally less rigid and more open to change as a result of their longer history of continued contact with western European nations; and in some senses, such as economic, these connections may be characterised as being interdependent. The inland tribes, such as the Dan and Limba, may be considered to be more inflexible in their response to outside con-

¹⁵⁹ Keesing, op. cit., pp. 390-391.

tact because of the relative inaccessibility to these regions from the coast; and one therefore may expect greater conservatism in their value systems.

The other variable is related to flexibility and has been called congruence of the cultural systems-in contact.¹⁶⁰ Where the first related to the general receptivity of the host culture to innovations, the concept of congruence reflects the amenability of the two cultures to exchange; that is, are the two value systems of the English, for example, compatible with those of the Temne, such that the latter would be likely to respond favorably to legal-religious innovations proposed by the former. It is in this regard that the innovations may come across a bulwark, for the moral systems and religious beliefs of the two are essentially at odds. Where economic and political practices may be said to be complementary, the essential values of the two are significantly different. As results of westernization, where innovations in the economic sphere (increase in slavery, the "job" system, and the like) and in the political arena (closer contact between the individual and the local political leader) would be acceptable, the religious and legal innovations, such as those proposed under the anti-witchcraft Christian belief systems and western "rational" law of trial by jury without supernatural assistance, would not be regarded to be compatible with the indigenous systems of religious and legal causality. Thus, the resilience of the sasswood ordeal in the face of laws established with the formation of the Protectorate and the zealous designs of the missionaries

¹⁶⁰ Ibid.

appears self-evident. In keeping with the above-mentioned conservatism of the inland tribes, these may be considered to be especially conservative areas.

II. HISTORICAL INFLUENCES

There have been historically four critical influences which either affected or were in a position to potentially affect the sasswood ordeal and oath-swearing. As implied in the last section, some influences have had a minimal effect, and no factors affected the practice to a very great extent. However, in all cases it was apparent that what change that was manifested was more in terms of form than in function and often one element came to dominate the other elements, giving the complex a different appearance, such as oath-swearing taking precedence over what became the illegal use of ordeals in modern Liberia.¹⁶¹

Islam

The earliest potential effect on the oath-ordeal complex was that presented by Islam. Islam entered the West Atlantic region in the eleventh through seventeenth centuries by means of the spread of the Islamic Mandingo and the Fulla clerics and traders, and it was concentrated in the northern regions of this area. In addition, it has been noted that the existence of north-south trade routes, resulting from topographical features such as thick forest which limited east-west trade, had the effect of increasing the Islamic influence in these directions

¹⁶¹ Strong, loc. cit.

rather than east-west.¹⁶² The greatest percentages of the practice of Islam are for the Susu (80 percent), the Yalunka (40 percent), the Temne (33 percent), with the Mende, the Limba, and the Sherbro-Krim-Bullom (averaging 5 percent each).¹⁶³ Islamic influence has also been noted for the Vai, the Kpwesi, the Kru and the Gio, though no specific percentages have been made available.¹⁶⁴

Many of the connections are demonstrated by linguistic affinities, such as the Vai, Limba, Susu, and Yalunka word for sacrifice (saraka), borrowed from the Arabic.¹⁶⁵ The Grebo and Kru grigri is thought to be a Krio form of gresh, an Arabic term meaning "to drive away."¹⁶⁶ The term for spirits--yina (Susu), L'iena (Yalunka), and dyinganga (Mende)--are derived from the Arabic jin.¹⁶⁷

In all cases, the Mandingoes and the Fullas were respected and generally regarded as being superior to their host tribes.¹⁶⁸ The inhabitants of the West Atlantic area admire Islam for its learning, the ability to make charms, and in their methods of divination as well as

¹⁶² Ruth Finnegan, Survey of the Limba People of Northern Sierra Leone (London: Her Majesty's Stationer's Office, 1965), p. 15.

¹⁶³ M. McCulloch, The Peoples of the Sierra Leone Protectorate (London: International African Institute, 1945), p. 84.

¹⁶⁴ Johnston, op. cit., p. 1067.

¹⁶⁵ Johnston, op. cit., p. 1063.

¹⁶⁶ Corry, op. cit., p. 61.

¹⁶⁷ McCulloch, op. cit., p. 45, p. 70.

¹⁶⁸ J. Spencer Trimingham, The Influence of Islam on Africa (New York: Frederick Praeger, 1968), p. 41.

the prestige associated with this religion.¹⁶⁹ To this latter aspect and to the problems of African and Islamic law the reader will now be directed.

The effect of Islam on both the law and the religion of the tribes might be regarded as variable because of the gradations in penetrance of the religion. In Sierra Leone and Liberia, Islamic law has been amalgamated into rather than entirely replacing native customary law.¹⁷⁰ Its effect is therefore partial, and one manifestation is the "winking at" a wealthy man of the West Atlantic cluster who has more than four wives, a Muslim restriction not enthusiastically or completely enforced. Islamic legal tenets are based on the Sharia, which follows the teachings of Malik Ibn Anas as a type of revealed law.¹⁷¹ It is concerned mainly with questions of divorce, marriage, inheritance, guardianship, and waqfs (charitable trusts) and minimally with crimes.¹⁷² However, though it does not mention what to do in cases of murder, the Sharia "frowns severely on all forms of sorcery and witchcraft."¹⁷³ One may see that with regard to witchcraft-caused murders, which would include most deaths in African ideology, the clash with traditional African

¹⁶⁹ Johnston, op. cit., p. 104.

¹⁷⁰ T. N. D. Anderson, "Relationship between Islamic and Customary Law in Africa," Journal of African Administration, XII (1969), pp. 228-34.

¹⁷¹ J. H. Price, Political Institutions of West Africa (London: Hutchinson Educational Press, 1967), p. 191.

¹⁷² N. J. Brooke, "Native Courts in Sierra Leone," Journal of African Administration, VI (1954), pp. 185-193.

¹⁷³ B. Davidson, A History of West Africa (Garden City: Anchor Books, 1966), p. 184.

principles of law has been fundamental. Where the tribe had been Muslim-ized, as among the Vai and the Gio of Liberia, there ceased to exist the reliance on fetishes made in the African manner in the likeness of living things; but the beliefs were transferred to verses from the Koran, where the temporary repository of the spirits was then thought to be situated.¹⁷⁴ The shift in legal matters is also seen from ordeal divination (sawwood) to a form of oath-swearing where the medium becomes the verses of the Koran. With respect to divination of unknowns, sand divination (kaesant) and the casting of stones (angbere) have become the chief mechanisms, so that it would appear that the notion of "drinking fetish" has been removed from their ideology.¹⁷⁵ The fatal potentiality of the sawwood ordeal was also removed, because this practice was not in accord with the principles laid down in the Koran.

The success of the adoption of Islam by the tribes of this region may be explained by several factors. Usually, because of the prestige associated with the religion, it was initially the ruling families who became Islamized and this did not involve any real change in the customary religious practices.¹⁷⁶ In addition, stress was laid on the uniqueness and exclusiveness of the Islamic practices and its opposition to the prevailing religion of the regions. For these reasons, of prestige and "aloofness" associated with the practice of Islam, the penetration of this religion may be seen as being incomplete. It should be further noted that Islam was successful because it was effectively integrated

¹⁷⁴ Johnston, op. cit., p. 6.

¹⁷⁵ Dorjahn, loc. cit.

¹⁷⁶ Trimingham, op. cit., p. 39.

into traditional tenets of African custom, such as polygyny, the bride-price and divinatory procedures. The success of Islam in Africa, though incomplete, may be summarized as follows.

The difference between Islam as an impersonal and abstract system with a body of doctrine and a rigid legal code embracing not merely ritual, but every aspect of life and the diversified and complex African systems of life appear so profound that few points of contact seem apparent and the psychological shock of religious change to be as great as that for an African converted to western Christianity. This is not so in practice. The reason is that Islam in contact with Africans is characterized by a series of gradations which act as insulation in passing on Islamic radiation gradually to animist societies.¹⁷⁷

Apparently, Islam offered some new alternatives without displacing the old, such that divination and oath-swearing could remain. In addition, sanctions of behavior found a new source in the written laws of Islam.¹⁷⁸ The effect of Islam on the religion of the West Atlantic tribes may be seen to be basically minimal since it blended, or was congruent, with customary beliefs.

Slavery

It has been reported that the institution of slavery was native to West Africa before the first slaves were taken in the early sixteenth century by the Portuguese.¹⁷⁹ It has remained a viable indigenous practice up to the present among groups of the West Atlantic cluster, such as the Mende.¹⁸⁰ It has also been noted in this paper that the increase in demand for slaves by the Portuguese and the English may have

¹⁷⁷ Ibid.

¹⁷⁸ Ibid.

¹⁷⁹ Wilson, op. cit., p. 35.

¹⁸⁰ Murdock, op. cit., p. 263.

led to an increase in the practice of the sasswood ordeal for the purpose of obtaining more slaves. The question may be asked again, what effect did the institution of slavery have on the practice of the ordeal? In this regard, the study will lead to an assessment of the records of the antebellum South to ascertain if the ordeal were practiced in those regions to which the slaves were shipped; and if it and the oaths were practiced, the changes and similarities which were manifested.

No question can be raised that the slave trade had a traumatic effect on the captives as well as on those who remained in Africa. Where those at home were faced with the loss of manpower and the increased warfare consequent to the rise of slavery,¹⁸¹ those who endured the Middle Passage were faced with new surroundings and new ways of life. The greatest trauma recorded was that of the lack of a basis for status among the slaves.¹⁸² It was pointed out that all levels of society were made slaves, and thus they were all reduced to the lowest rung relative to their captors. It became difficult, however, to stabilize an endogenous hierarchy. They were well aware that they were slaves, but the stigma attached to this new status appeared to be not so great as the white masters' view of their position. Africans, in short, had been used to hard work and the land they were required to work were very like the lands they had left in Africa. The shock of slavery was not economic, but mainly social in the disruption of families and the new chaos of their relative social positions with respect to each other.

¹⁸¹ Davidson, op. cit.

¹⁸² J. Blassingame, The Slave Community (New York: Oxford University Press, 1972), p. 10.

The new "slave personality" that resulted has been described as a "result of the interaction between certain universal elements of West African culture, the institutionalized demands of plantation life, the process of enslavement, and the creative response to enslavement."¹⁸³ With respect to religion, it was noted that most religious practices of traditional African society were amenable to the later dictates of the white masters in their belated and half-hearted attempts to inculcate Christian beliefs.¹⁸⁴ Religious activities were areas of considerable potential creativity and social strength; and the slaves in the new world used religion as the central area for the creation and re-creation of the community.¹⁸⁵ In addition, African slaves in the new world had come from societies in which there was no apparent distinction between the sacred and secular activities,¹⁸⁶ such that these facets remained integrated in the slave societies.

There are two sources of evidence which cite the continuation of the practice of poison ordeals with slight variations in the slave states. It was reported that the slaves of Virginia, for example, were known to hold "conjur talks" (i.e., palaver) before the administration of "herbal poisons" in their own legal cases.¹⁸⁷ These poisons were effective because of the slaves' belief in their efficacy, and they eventually were made illegal by the State of Virginia in the early eighteenth century.

¹⁸³ Blassingame, op. cit., p. 18.

¹⁸⁴ Blassingame, op. cit.

¹⁸⁵ G. Rawick, The American Slave from Sundown to Sun-up (New York: Greenwood Publishers, 1972), p. 32.

¹⁸⁶ Ibid.

¹⁸⁷ J. C. Furnas, Goodbye to Uncle Tom (New York: Sloane, 1956). 172

In perusing the records of other slave cases in the South, namely Alabama, Louisiana, and Georgia, it was noted that many cases of the use of poisons were recorded. For instance, the recorded case in 1729 in Louisiana reported the association of witchcraft with the use of poisons.¹⁸⁸ One may infer from this that ordeals might have been used in ascertaining the guilt of the alleged witch. Such a conjecture seems to be legitimate because the whites at this time were not interested in the customs of their slaves, and what they would notice would be the effect of the poisoning and not the manner in which it was administered or for what purpose.

Another instance may be cited as an example of what might be interpreted as the use of poison ordeals. To prove culpability in a case of theft (for example) among the slaves, it was noted that the suspect was forced to drink "a bottle of water filled with dust from the grave of a recently departed slave;"¹⁸⁹ and that if the individual lied, he would die from the draught. Because of this fact, most slaves were noted to have confessed. This aspect may be quoted more fully.

Another method of detecting thieves was with the use of graveyard dust. Slaves felt that no matter how untrue a man during the life, on his deathbed, he would tell the truth or risk going to hell. Thus, graveyard dust would be gathered from the grave of the slave last buried, and placed in a bottle of water. The contents of the bottle was offered to the accused. He was told if he took the chicken and drank the water, he would go straight to hell; and if, however, he did not take the chicken, he would have no fear of drinking the dust. Being unusually superstitious, many would admit to being the thief rather than have anything further to do with the dust.¹⁹⁰

¹⁸⁸H. Catterall, Judicial Cases Concerning American Slavery and The Negro (Washington, D.C.: Carnegie Institute, 1932), p. 404.

¹⁸⁹Blassingame, op. cit., p. 49.

¹⁹⁰S. Feldstein, Once a Slave (New York: William Morrow, 1971), p. 174.

In remembering the significance of a poison ordeal presented earlier in this paper, it was noted that "drinking fetish" or anything sacred in the eyes of the users constitutes the users' conception of the efficacy of the draught and that the substance is not thought to be a poison, but rather to act as a poison in the case of the guilt of the accused. Thus, the report given would seem to indicate that the practice of drinking draughts to test innocence was still alive among the slaves. Changes in the representation of the ordeals may be regarded as an alteration in their needs, i.e., from murder to theft or to include both of these crimes. It may be that the practice of oaths and ordeals may have increased in the manner of social pathology in that "neurotic" behavior, resulting from the upheaval of social status and family orientations, may have resulted in an increase of crimes of slaves-against-slaves and thereby increased the use of methods of detection of these crimes, such as ordeals and oaths. Such a situation would seem to be substantiated by the fact that a great suicide rate was noted for slaves during the Middle Passage and during the first decades in their new lands.¹⁹¹

Western European Influence

The first explorers to the coasts of Sierra Leone and Liberia came during the early to middle of the fifteenth century. The great emphasis at this time was for new lands and new sources of the luxury commodities of the East such as precious metals and spices. While the main intention of these voyages to distant and strange lands in Africa was the discovery and claim of these material goods, as well as slaves, there was also the

¹⁹¹Blake, loc. cit.

lure of the bizarre which attracted some of the earlier traders. Some of these early merchants, such as Cadomosto in 1455, were relatively accepting and relatively non-judgmental of the stranger behaviors of the inhabitants; but by and large, it may be said that the earlier traders were more concerned with commerce and their own illnesses than with what they wrote down for posterity. For this reason, the reports during this period are concerned for the most part with physical descriptions of the inhabitants and the types of fauna and flora extant at the time. There was little concern regarding ideological frameworks or anything that was not in the most obvious sense sensational. This was the period of the Portuguese and the early British explorers and lasted from approximately the 1450's to the 1750's. Also included in this period were the reports of some Dutchmen, such as Olfert Dapper, who, as noted before, referred to the Belli-Paaro society (Poro).

The most remarkable description of the sasswood ordeal, both for its completeness and precision of recording as well as for the relatively early date at which it was written (1795), was that of Adam Afzelius, a Swedish botanist. His description of the ordeal among the Temne is worth reproducing for the reader, and a slightly shortened version has been placed in the Appendix. It may be regarded as the basic description with which to compare other accounts of the practice; and it is unique in the author's precision of accurate recording of events as well as his perspicacity in their interpretation.

Afzelius was trained as a botanist during the middle to late eighteenth century in two schools of thought which affected the ability as a recorder. First was his instruction in Linnean biological classi-

fication. Where taxonomic matters were not the concern of his record in West Africa, such a scientific training may be considered to have instilled in Afzelius notions of unemotional observation of and attention to detail which would, roughly speaking, put everything in its correct place. He wrote down everything he saw, even details which others might have regarded as insignificant or superfluous. The Scientific Age and the Age of Reason were peaking in Europe at this time, and Afzelius appears to have been the recipient of all the best qualities of both.¹⁹²

In addition, it has been reported that Afzelius was a member of an intellectual society extant at the time called the Swedenbourg group. The main tenet of this society was the equality of the human races throughout the world, which was a remarkable notion for that period. The importance of this philosophy can readily be deduced in that it would result in even further accuracy and lack of bias in the presentation of data. This is manifested especially in his record of the red-water (sassawood) ordeal. Fortunately, Afzelius was a true scientist, for the notion of equality among men did not result in romanticized, Rousseauian notions of the Noble Savage. It is of further interest to contrast the "scientism" of a Swede whose country had little or no interest in the economic advantages of slavery with the approach used by the English explorers, such as Matthews and Macaulay, whose interests in the "inferiority" of the West African inhabitants were precipitated by the economic advantages sought by their mother countries.¹⁹³ Their "scientific" approach resulted not in the notion of equality, but rather

¹⁹²Afzelius, op. cit., pp. xi-xv.

¹⁹³Fyfe, op. cit.

in the "proof" that the "natives" were "inferior" as presented by their religious beliefs and "barbaric" practices, such as the sasswood ordeal. Afzelius was at least partially aware of the seemingly unscientific view of other Europeans when he remarked, "watching such trials provides entertainment for Europeans which they sorely resent when they are not able to see them."¹⁹⁴

The difference between previous recorders' descriptions of the sasswood ordeal and that of Afzelius lies many leagues apart. Afzelius also provided some interpretation of the practice. He was the first to note, for example, the relatively arbitrary nature of the accusations made. "The real motivation for the accusations always remains a profound secret. He (the accuser) may do it upon a good foundation but also only out of spite and enmity. And the accused have no other course but to submit to drink red water."¹⁹⁵ It may be assumed from reading Afzelius' account that the practice among the Temne and Bullo in 1795 was well established in its characteristics, and at least one of the functions at this time appears to have been as an equalizer of social status.

In the latter half of the eighteenth century up to the beginning of the twentieth century came men and women of multifarious purposes and goals to the western coast of Africa. As the attitudes prevalent at this time were many, they will be discussed in turn. This period was dominated by British influence.

The "British mentality" at this time has been characterized as

¹⁹⁴ Afzelius, op. cit., p. 91.

¹⁹⁵ Afzelius, op. cit., p. 25.

being "experienced and wise" in matters of the world, especially with regard to Empire and "ready to conquer" new lands in the name of the Queen.¹⁹⁶ This era of British rule was dominant, aggressive, and vain; and it reflected itself in the attitudes towards the black inhabitants of Sierra Leone and Liberia. Where the colonists' main concerns were the lack of suitable entertainment and the paucity of their accustomed foods, the "natives" were dismissed in the following cursory manner, provided by one Colonel Ballantyne in 1870.

I use the term (savage) advisedly, because I wish to call things by their right name. The savage IS a savage, and in my experience among the natives of different parts of the earth, I have never met with what is styled the "Noble Savage," nor even heard of a genuine specimen, except in cases when individuals have embraced the civilizing Gospel. Let me not be misunderstood. I have no sympathy whatever with those who regard "niggers" as an inferior race of ignoble men, who are only fit for the benefit of the highly exalted, to be killed or turned into beasts of burden. But on the other hand, I have little sympathy, and no agreement with those who, forgetting, apparently, that this red-Kafir is in truth a savage, would treat him as if he were already a Christian and try to do him every possible good, and chiefly, to bring his soul in contact with the savior, is our simple duty, but to trust him is no part of our duty. It is worse than folly because it defeats our philanthropic views and prolongs his debasement. Who would trust a thief, or a liar, or a murderer? The whole Kafir notion, root and branch, is a huge thief, an inveterate liar, and a wholesale murderer.¹⁹⁷

The feelings that the "native" was an "uncontrollable savage" resulted in records which are punctuated with numerous exclamation points, completing remarks on the "intrinsic inferiority of the native." Some records were not so caustic as others, but the general tone of them was decidedly of

¹⁹⁶ Roy Lewis and Yvonne Foy, The British in Africa (New York: Weidenfield and Nicolson, 1971), p. 28.

¹⁹⁷ Lewis and Foy, op. cit., p. 29.

a superior making judgments on an inferior. Such views reflected a notion which predominated the latter half of the nineteenth century in the form of "pseudo-Darwinism," which assigned a "childlike quality to the innately mentally deficient African," who required the moorage and steerage of the whites.¹⁹⁸ The "inferiority" of the blacks was alleged to be reflected in their polygamy, nakedness, their body odor (which observation the blacks made about the whites), their "fetishism" and witchcraft, and their barbarities such as poison ordeals.¹⁹⁹ Whether the motive driving the adventurers, travelers, and traders was the excitement of discovery or the desire for profits in a far-off land of riches, it was the sense of destiny on the part of the Victorian British to endure the legendary White Man's Burden.

Assuming the "innate inferiority and savagery of the black" inhabitants of Sierra Leone and Liberia, the manner in which the reporters during this period would described the sasswood ordeal should be considered. In general, most writers were concerned more with the appearance of things than their operation, and any items which were strange were summarily dismissed as non-Christian and therefore evil. In keeping with such a categorization, the records from this period only describe the ordeal in superlatives and in the barest of detail and without too much of the benefit of explanations for their purpose in the society.

Explorers, adventurers, travelers, and others were not too concerned with the conversion of the inhabitants of Sierra Leone and Liberia

¹⁹⁸Kingsley, op. cit., p. ix.

¹⁹⁹Lewis and Foy, op. cit., p. 69.

because their interests were more in trade and adventure and fame. Where they condemned the practices, such as the sasswood ordeal, which they encountered there, there was little attempt made to change this behavior. The effect of this group of Victorian British may be regarded as minimal to the practice of the sasswood ordeal.

The effect of the missionary on the African appears to be more germane to the present survey. The missionary, or so-called humanitarian, approach to the study of the people of West Africa, long influential in that continent as well as other areas of the Empire, originated in the late eighteenth century as a kind of over-reaction to and atonement for the slave trade and the Protestant ideas which had supported it.²⁰⁰ In keeping with the notion of "pseudo-Darwinism" described above, all the evils of the society--poverty, disease, fears--were blamed on what they considered to be the evil, false religion; and the missionaries arrived in a flurry of religious fervor to rectify the situation and to show the residents the "True and Guiding Light."²⁰¹ Where the missionary was the one who stayed the longest with the indigens, knew his language and some of his custom, he also was the one who tried the most to alter the status quo. Missionary work became a conscious attack on the traditional African society itself. Conversion was not limited to religious beliefs and practices, but also to clothing, habits of behavior, table manners, artistic endeavors, and other aspects.

The recalcitrance on the part of the African to be converted

²⁰⁰ Lewis and Foy, op. cit., p. 57.

²⁰¹ Ibid.

to Christian belief, other than paying a token "lip service" by attending church, may be explained by two facts. First, the missionaries themselves appeared to have engaged in the very witchcraft and magic that they condemned in the fact that they crossed the seas and introduced such charms as lighters and such magical tools as cameras. It was difficult to convert the "virgin, if darkened minds, awaiting the message of redemption and salvation,"²⁰² if the white himself engaged in practices just as "senseless and barbarian" to the black. This point of cultural relativism appears to have been one never really appreciated, considered, or practiced by most missionaries.

The second factor of the inhabitants' unresponsiveness to the proselytization may be explained in terms of the resilience of their religious beliefs to change. Since these aspects formed such an integral part of the culture with its moral rules, it may be stated that the missionaries' efforts to upset this balance were in vain. The missionaries were particularly appalled by the belief system which functioned in relation to "evil" as manifested by idolatrous "fetishes" and the belief in witchcraft, and not in relation to "goodness and God." The basic Lebenssicht of a people cannot be so readily and drastically altered as the missionaries had hoped.

An example of the missionary's attitude to the practices of the inhabitants of this region may be seen by quoting briefly the records of one missionary, George Thompson, who served in Sierra Leone in the mid-nineteenth century. His report and comments may be regarded as be-

²⁰²Ibid.

ing fairly typical. The reference is not to the sasswood ordeal in particular, but to the general beliefs of the traditional African.

What ideas a poor, ignorant African has of such idols or fetishes, and the virtue of their worshipping them, it is difficult to find out. We cannot get low enough in their deep depths of degradation to get a clear understanding of it; indeed their notions seem to be a confused mass of superstitious fancies, that they cannot definitely and clearly express.²⁰³

and

... Though they "know God," they do not pray to Him, or worship Him, or study, desire, and seek to please Him, but follow their own evil hearts; and for their known wickedness, for not obeying the light they have, they must be condemned ... Even of the heathen may it be truthfully said, "Ye knew your duty but ye did it not."²⁰⁴

With regard to more specific "acts of cruelty," Thompson has this to say.

To the foregoing (description of the cruelty of the Poro sacrifice) add the almost innumerable victims which are continually being burned to death for witchcraft, etc., and what vast multitudes of innocent human beings are yearly sacrificed on the altar of heathendom, to superstition! It is awful to think of it, and yet the stern and horrid reality exists while I write and you read. May the blessed Gospel soon do away with these savage cruelties!²⁰⁵

The intent and effect of the missionary on the practice of the sasswood ordeal may be described. Since the missionary's work was principally religious conversion, and since the ordeal and oaths belong to that classification of items resistant to change, one can deduce that the sasswood ordeal would remain constant in underlying ideology and functions, if not in its manifestations. The missionary attack was not

²⁰³Thompson, op. cit., p. 162.

²⁰⁴Thompson, op. cit., p. 163.

²⁰⁵Thompson, op. cit., p. 424.

against the ordeal specifically, though it was condemned for its inhumane cruelty (so they thought), but they did attempt to change the religious structure of a practice which would require dissolving the beliefs in witchcraft and the spiritual efficacy of "drinking fetish" and oath-swearing. While the African may have attended the church services held by the missionaries and changed the name of their nature gods to those of the saints and of their creator to God, there was no change in the structure of their belief system. The historical record may serve as witness to the fact that the sasswood ordeal did not change in either form or function, especially in the case of the hinterland tribes. Where some groups did drop the ordeal because of legal, government pressure, the oath-swearing was retained and substituted for the ordeal.

Urbanization

It is significant to note that industrialization, which had served as a boon to the slave trade in that slaves were exchanged for manufactured goods,²⁰⁶ and urbanization also affected the sasswood ordeal only slightly in form and not at all in function. Instigation of the Protectorate and its laws forbidding ordeals²⁰⁷ seems to have resulted in the underground activity of the sasswood ordeal and the continuance of oath-swearing. Oath-swearing persisted because it was required in Sierra Leonean and Liberian national courts and proved efficacious because of the belief held in them, that is, that they would seek out the guilt in a person if it were there.

²⁰⁶ Lewis and Foy, op. cit.

²⁰⁷ Price, op. cit.

At least two reports have been made of the contemporary use of the sasswood ordeal in urban centers, which is unique to the records offered for the practice. In 1960 Gerard Periot reported that President Tubman of Liberia had used the poison ordeal to decide an official case in 1947 in the village of Koulous.²⁰⁸ In addition, Hans Himmelheber in 1958 reported the contemporary use of the sasswood ordeal in Monrovia, Liberia, so that the use was not limited historically to only the hinterland regions.²⁰⁹ In the case cited by Himmelheber, the person employing the ordeal was a Dutchman whose knowledge of the ordeal's psychological efficacy in the view of those tribes using it resulted in true self-incrimination by those accused of theft, in this modern case. The point with both these cases is that up to the present time and in urban areas, where one would expect the influence of the modern world to be the greatest, the ordeal is still used, though by the writ of the countries' constitutions, they are illegal.²¹⁰ The specific case of theft has altered the use of the ordeal somewhat, but its basic function of ascertaining guilt and the psychological uses to which it was put have apparently not changed, in that the fear inspired in the accused is the means of the ordeals' and the oaths' operation. One may assume that the educational function described in Chapter III has survived.

²⁰⁸G. Periot, Night of the Tall Trees (London: Frederick Muller, 1960).

²⁰⁹H. Himmelheber, Die Dan: Ein Bauernvolk im westafrikan Urwald (Stuttgart: Kohlhammer Verlag, 1958).

²¹⁰Price, op. cit.

CHAPTER V

SUMMARY AND CONCLUSIONS

CHAPTER V

SUMMARY AND CONCLUSIONS

One purpose of the thesis has been to more clearly define the meaning, characteristics, and purposes of the sasswood ordeal as well as oath-swearing among the West Atlantic tribes of Africa. By surveying the historical sources over the past six hundred years, it was hoped that a composite picture of the ordeal would appear and provide a broader understanding of this ritual in terms of the legal and religious life of the societies studied. In addition, since the approach and techniques used were historical, evidence of the persistence of these practices was sought. In order to determine the success with which these goals were met, a brief summary of the findings is necessary in forming the conclusions.

I. SUMMARY: THE SASSWOOD ORDEAL

The sasswood ordeal is a form of technological divination which is utilized by those practicing it to solve problems, especially regarding crimes, which cannot be solved because there are too few facts. Alternatively, the ordeal is used to decide cases, especially of witchcraft and adultery, where the moral judges in the society, usually the zo, do not wish to be held personally responsible for having made the decisions. This "alienation effect" is achieved by the use of Poro masks among the Liberian tribes, and in addition, by the fact that in the viewers' eyes,

these ordeals are manifested as the judgments of the supernatural and not of human agents. Such a divine judgment is thought to be more stringent and impressive and, therefore, the lesson taught more deeply engrained in the individual. The sasswood ordeal owes its special efficacy to the fact that the drinking of draughts, such as the sasswood concoction, is an especially potent way of testing one's veracity and "good faith," in that the individual drinking the infusion becomes mystically infused with the divinatory power itself, which will find the truth of the crime--whether the accused is innocent or guilty--within the person and make the accused vomit if he is innocent.

There are several functions postulated for the sasswood ordeal and oath-swearing other than the obvious legal-religious guilt-determining mechanism, whose counterparts in western society may be seen in the lie-detector test and in swearing on the Bible.

It was noted that through the action of accusations, as rather straight-forward projections of jealousy and enmity on the part of the accuser, certain latent, and sometimes less-than-latent, hostilities are released, which might otherwise disrupt the society's moral and social equilibrium. This was seen as the social unifying effect and serves to re-achieve cultural balance by the ritual purgative demonstrated in both accusations and the subsequent oaths and ordeals. The ordeal is especially significant in this regard in that a single individual, or "scapegoat," becomes the focus of these tensions and hostilities.

In that the wealthy and powerful were usually the ones accused of witchcraft and therefore subjected to the sasswood ordeal, the function

as an equalizer or leveler of social status within the society may also be considered. By being fined or by the family of the accused, should be die in the ordeal or afterwards as punishment for his guilt, relinquishing all their goods and in the extreme becoming slaves, wealth in the society is redistributed and the former powerful ones are reduced to a less-than-mighty status. This would serve to retain another kind of status quo, in which the members of the society were roughly equal in power and wealth. In addition, it was thought that during the seventeenth, eighteenth, and nineteenth centuries these functions were especially important because there was an apparent increase in the number of accusations and subsequent ordeals for the purpose of acquiring more slaves for the markets of Europe and the New World. Such a fact may be regarded as temporary functional change in the practice of the ordeal due to outside economic pressure.

Finally, the sasswood ordeal was seen in connection with the Poro secret society; and in this sense, two functions were deduced. First, because the zo were reported to possess the most powerful "medicine" in the societies and the only "official" medicine to be used in determining guilt or innocence (ge du), the sasswood ordeal would seem to serve to reaffirm the "policing" function of the Poro and especially the superiority of the zo in this regard. Second, the Poro, in performing the ordeal, acts as an educational body in inculcating the norms and rules of the society by the mnemonic device of the sasswood ordeal. By this is meant that through the pain and the violent and emotional performance of the ordeal, the rules of the society, which were transgressed and necessitated the ordeal, are further inculcated into the minds of the

audience observing the practice. This may be more succinctly phrased "setting an example" for the rest of the society so that "it will not have to happen to me."

II. CONCLUSIONS: ETHNOHISTORIOGRAPHIC PROBLEMS

In surveying the historical evidence, there were two principal problems, other than the ones of ethnohistoriography mentioned in the Introduction, which have placed limitations on the drawing of specific conclusions regarding the conservatism of the practice of the ordeal and substantiation of those conclusions. First, the historical record was piecemeal in the descriptions of the ordeal. By this is meant that no one tribe was reported continuously through time with respect to the ordeal, so that it became difficult to accurately assess the degree of change with respect to this trait-complex for the whole area. For example, it was not possible that evidence of a change in form reported for the Temne in the eighteenth century be extrapolated as evidence for all groups in all time periods of the West Atlantic cluster. To attempt to do so would give disproportions.

Second, the references made to the ordeal in the various tribes were tangential and incomplete, in that the reporters usually merely stated that the practice existed and very rarely did the authors go into significant detail regarding the specific elements of the practice or any form of interpretation as to its functions. In short, no one has made the complex the special focus of a study. The fact that the record had to be pieced together in such a composite fashion as a result of the above-mentioned deficit in the historical record meant that any suppo-

sitions of culture change would necessarily remain, for the most part, conjecture. Rather than the descriptions of the ordeal proper, the contexts became more important for the detection of functional persistence in the practice in that these would represent significant changes. Keeping in mind these problems which were encountered, the historical influences described in Chapter IV will be discussed.

III. CONCLUSIONS: PERSISTENCE AND CHANGE IN THE SASSWOOD ORDEAL

Islam

Islamic influence on the ordeal would be limited to those tribes which had had prolonged contact with that religion, and these were the Mende, Temne, Yalunka, Vai, Susu, Grebo, Kru, and to a lesser extent the Limba. Islam had already in its religious repertoire divinatory practices such as sand divination (kaesant) and the casting of stones (angbere), and swearing of oaths on the Koran (angbaibel) would be congruent with the ordeal and oath-swearing already extant in the above-mentioned tribes. The change would be in substance and not in kind, so that the legal-religious divinatory function would remain the same. In addition, the written code of the Sharia, providing a system of codified rules, would mean that the mnemonic effect of the ordeal, as described above, would no longer be required for the learning and emotional inculcation of the laws of the society. The Sharia was "revealed law" and because it, too, was divinely ordained, would retain religious sanctions for moral conduct. In conclusion, it may be said that the shift was from the "violent" ordeals to more routine forms of divination which would serve the purpose of deciding unknown or unknowable issues,

but which apparently implied the dissolution of the social status equalizing functions, in that there was a prestige factor attached to the adoption of Islam. The educational, or mnemonic, functions were assumed by the Sharia.

Slavery

Slavery was selected as a possible influence on the practice of ordeals and oath-swearing because it was correctly supposed that the societal upset incurred by the removal of members from the society at home and the chaos caused by the disruption of families and ways of life in the colonies would result in an increased reliance on religious practices in the manner of social pathology: "cosmic thumb-sucking." Of particular importance in this case would be the function of tension-reliever and as a social unifier in times of emotional stress. It was noted that the idea of drinking the concoction which held magic powers of divining the truth within an individual remained and its frequency apparently increased. In this instance, the form changed from drinking an actually poisonous, purgative concoction to drinking a symbolically purgative brew of graveyard dust, whose efficacy would have to be purely psychological. The function remained the same, however. It is not possible to conclude at this time whether the educational function remained, for nowhere was there reported any audience observing the ritual who would be required for the educational purpose. Probably the moral lessons remained, but one cannot be sure.

Note has already been made of the increase of the practice of the sasswood ordeal in connection with the greater demand for slaves, which may be called an economic function.

Western Europe: Explorers and Missionaries

The western Europeans, in particular the British missionaries, made the greatest concentrated effort to change the sasswood ordeal, because it was part of the legal-religious beliefs which were contrary to the Christian "virtues" which they were promulgating as a means of atonement for their own guilt of the slaving period. The alternatives offered to the inhabitants of Sierra Leone and Liberia--going to church, praying to a god dissimilar from their own system of nature spirits and especially the denial of witchcraft as a viable life-force--were basically against the grain of indigenous belief. These alternatives were unsatisfactory at an emotional and ideological level to the indigens in that they did not solve their problems and daily dilemmas. Their system of causality based on the pervasiveness of ancestral spirits, and non-ancestral spirits, allowed for direct justice meted out by the supernatural and the obedience to the system of "bland, unemotional" written laws did not prove a satisfactory alternative to them. In keeping with the discussion of the resilience of religion, laws, and such practices as the sasswood ordeal and oath-swearing which intermesh the two ideas, these items of "the essentials of ideological security" are noted to "die hard" unless faced with equally satisfying alternatives, which the missionaries and government officials simply would not and could not provide. Because they viewed these practices as "cruel and savage," the sasswood ordeal was made illegal by about the turn of the twentieth century, but oath-swearing was allowed to continue because it was considered to be harmless and also to be efficacious because of the inhabitants' belief in them. However, regardless of the ban on the sasswood ordeal by the Protectorate

governments, the practice has continued to the present (i.e., 1967)²¹¹ in the hinterlands and is performed "underground," indicating the persistence of the supernaturally sanctioned trials and judgments made through the action of the poison.

Urbanization

If anything, the effect of the urbanization and more extensive encroachment of the western world, replete with its economic demands ("jobs," success, a moneyed economy) and its social requisites (monogamy, bilaterality, feminism, education) may be supposed to have increased the practice of sasswood ordeals and oath-swearing in their functions of relieving social and moral tensions at a societal level. Mention has been made of the fact that divination, as a means of knowing the unknown and deciding issues so important that the judgments should not be the responsibility of "mere mortals," is tenacious and adaptable to various changing circumstances.²¹² Howells has stated that the divinatory acts and arts are one of the most persistent of all religious activities.²¹³ Since the new pressures of the modern world mentioned would result in greater personal indecision, problems and tensions, it may be concluded that ordeals and oath-swearing will probably persist at least as long as the pressures do. It might even be likely that they would increase because the job and moneyed economy may well result in a greater proportion of have's over have-not's, which may, in turn, produce jealousies and enmity to cause the greater incidence, though clandestine, of accusations of witchcraft

²¹¹Fischer, op. cit.

²¹²Dorjahn, op. cit., p. 7.

²¹³W. Howells, The Heathens (New York: Anchor Books, 1962), p. 66.

and the subsequent ordeal by sasswood. The function of "social leveling" would thereby possibly increase. The educational purpose for inculcating group morals and rules will also be expected to be emphasized if there continues to develop nativistic movements in returning to the old customs in reaction to the white putting pressure on the black to adopt the former's cultural mores.

The situation may eventually arise where the oath-ordeal complex assumes the status of a cultural survival, that is, an item of cultural behavior which has remained beyond its immediate "usefulness" to the society and is retained for "traditional" reasons. It has already been noted, for instance, that the political and legal authority of the Poro has diminished through the years.²¹⁴ If the western courts of law become more persuasive in their ideology, the directly determinative and retributive purposes of the ordeal may decline. However, as an emotional and sanctified technique for educating its members in moral laws, the ordeal-oath complex would retain its utility. No evidence has been found to support such a functional shift at this time, but future investigations may provide data for such a claim of cultural survival as a part of nativistic movements or as a revival in traditions.

IV. CONCLUSIONS

In conclusion, through the diachronic study of the sasswood ordeal and oaths among the tribes of the West Atlantic cluster, a further exploration and explanation of these specific practices has been provided.

²¹⁴Harley, op. cit.

They are seen as being essentially conservative practices in that they are a necessary part of the legal and religious life of the West Atlantic tribes and the basic structure of ordeals and oaths has not changed since it was first directly mentioned by Hawkins in 1560 to the present day. During the history of the practices, there have been certain formal changes, such as swearing on the Koran rather to the individual non-ancestral spirits, and the intensification of the use of the ordeal in matters of theft in New World slave communities; but essentially the form, contexts, and functions of the sasswood ordeal and oath-swearing have remained constant through time, reflecting the adaptability of the complex in response to varying pressures and dilemmas. In addition, it has been demonstrated that these purposes will remain in the future due to increasing, though different, pressures from western societies to conform to their value systems. If they change at all, it will be as one of the last elements of the culture to perish, for the resolution of indecision and the desire and the necessity to know the unknown are part of that amorphous quality, human nature, and no amount of Christian gospel and scientific "common sense" can solve that intrinsic quirk in man.

A SELECTED BIBLIOGRAPHY

- Adams, John. Remarks on the Country Extending from Cape Palmas. London: Thomas Nelson, Ltd., Printers, 1910.
- Afzelius, Adam. Sierra Leone Journal 1795-1796. Uppsala, Sweden: Studia Ethnographica Upsaliensa, XXVII, 1967.
- Alldrige, Thomas J. The Sherbro and Its Hinterland. New York: MacMillan and Company, 1901.
- Allot, A.N. Essays in African Law. London: Butterworth Press, 1960.
- Allot, A.N. Judicial and Legal Systems in Africa. London: Butterworth Press, 1962.
- Anderson, J.N.D. "Relationship between Islamic and Customary Law in Africa" Journal of African Administration, XII (1969), pp. 228-234.
- Armstrong, J.N.D. "West African Inquest" American Anthropologist, LVI (1954), pp. 1051-1069.
- Aronson, Sidney H. "Obstacles to the Approachment between History and Sociology: A Sociologist's View" Interdisciplinary Relationships in the Social Sciences. Ed. Muzafer Sherif and Carolyn W. Sherif. Chicago: Aldine, 1969.
- Barzun, Jacques and Henry F. Graff. The Modern Researcher. New York: Harcourt, Brace, and World, 1957.
- Baumann, H. and D. Westermann. Les Peuples et Les Civilizations de L'Afrique suivi de Les Langues et L'Education. Trans. M. L. Homburger. Paris: Payot. 1967.
- Beattie, John. "Ritual and Social Change" Man, I (1966), pp. 60-74.
- Beatty, K.J. Human Leopards: An Account of the Trials of Human Leopards Before the Special Commission Court. London: Hugh Rees, Ltd., 1915.
- Blake, John William. Europeans in West Africa 1450-1560. London: Hakluyt Society, 1942.
- Blake, W.O. The History of Slavery and the Slave Trade. Columbia: J. and H. Miller Publishers, 1858.

- Blassingame, John W. The Slave Community. New York: Oxford University Press, 1972.
- Boahen, A. Topics in West African History. London: Longmans, 1966.
- Bridge, Horatio. Journal of an African Cruiser 1845. London: Dawsons of Pall Mall, 1968.
- Brittan, Harriet. Everyday Life in Africa. London: Pudney and Russells, 1860.
- Brooke, N. J. "Native Courts in Sierra Leone" Journal of African Administration, VI (1954), pp. 185-193.
- Brooks, George. "Salem Merchant in Cape Palmas, Liberia, in 1840" Essex Institute Historical Collection, LXLVIII (1962), pp. 161-174.
- Burns, Francis. "Trial by Ordeal" Anthropos, V (1910), p. 808.
- Burton, Sir Richard. Two Trips to Gorilla Land and the Cataracts of the Congo. London: Law, Marston, Law and Searle, 1876.
- Burton, Sir Richard. Wanderings in West Africa, Volumes I and II. London: Tinsley Brothers, 1863.
- Büttikofer, Johan. Reisebilder aus Liberia. Leiden: E. J. Brill Verlag, 1890.
- Catterall, Helen. Judicial Cases Concerning American Slavery and the Negro. Washington, D. C.: Carnegie Institution, 1932.
- Clébert, Jean-Paul. The Gypsies. Trans. Charles Duff. New York: Penguin Books, 1967.
- Corry, Joseph. Observations on the Windward Coast of Africa 1805-1806. London: Cass Publishers, 1968.
- Creel, J. Luke. Folk Tales of Liberia. Minneapolis: T. S. Denison and Company, 1950.
- Crone, G. R. The Voyages of Cadomosto 1455. London: Hakluyt Society, 1937.
- Curtin, Phillip. Africa Remembered. Madison: University of Wisconsin Press, 1967.
- Curtin, Phillip. Image of Africa. Madison: University of Wisconsin Press, 1964.
- Cuvellier, Gaston. "Les Preuves Judiciaires dans le Territoire de Jadotville" Anthropos, XXXVII-XL (1942), pp. 254-308; pp. 497-565.

- Dapper, Olfert. Umbständliche und Eigentliche Beschreibung von Afrika und denen dazu gehörigen Königreichen und Landschaften. Amsterdam: Jacob von Meers, 1620.
- Davidson, Basil. A History of West Africa. Garden City: Anchor Books, 1966.
- Davies, Oliver. West Africa before the Europeans: Archeology and Pre-history. London: Methuen Press, 1967.
- Dorjahn, Vernon. "Some Aspects of Temne Divination" Sierra Leone Bulletin of Religion, IV (1962), pp. 1-9.
- Eliade, Mircea. The Forge and the Crucible. London: Rider and Company, 1962.
- Elias, T. O. Ghana and Sierra Leone: The Development of Their Laws and Constitution. London: Stevens and Sons, Ltd., 1962.
- Ellis, A. B. The Land of the Fetish 1857. Westport, Connecticut: Negro University Press, 1970.
- Evans-Pritchard, E. E. "Consulting the Poison Oracle among the Azande" Reader in Comparative Religion. Ed. William Lessa and Evon Vogt. Second Edition. New York: Harper and Row, 1965.
- Evans-Pritchard, E. E. "Witchcraft Explains Unfortunate Events" Reader in Comparative Religion. Ed. William Lessa and Evon Vogt. Second Edition. New York: Harper and Row, 1965.
- Fage, John. A History of West Africa. London: Cambridge University Press, 1969.
- Farb, Peter. Man's Rise to Civilization As Shown by the Indians of North America from Primeval Times to the Coming of the Industrial State. New York: Avon Books, 1968.
- Fashole-Luke, Edward. "The Themes of Myths: Their Status and Right Appraisal in West African Religion" Sierra Leone Bulletin of Religion, VII (1965), p. 3304.
- Feldstein, Stanley. Once a Slave. New York: Morrow Press, 1971.
- Field, M. T. Religion and Medicine of the Ga People. London: 1937.
- Finnegan, Ruth. Limba Stories and Story Telling. London: Oxford University Press, 1967.
- Finnegan, Ruth. "Oral Tradition" History and Theory, IX (1970), p. 195.

- Finnegan, Ruth. Survey of the Limba People of Northern Sierra Leone. London: Her Majesty's Stationer's Office, 1965.
- Finnegan, Ruth. "Swears among the Limba" Sierra Leone Bulletin of Religion, VI (1964), pp. 8-26.
- Fischer, Eberhard. "Erzählgut der westlichen Dan im Liberia" Anthropos, LXII (1967), pp. 686-744.
- Fortes, Meyer. African Political Systems. London: International African Institute, 1940.
- Foster, George, May Diaz and Jack Potter. Peasant Society. Boston: Little, Brown, and Company, 1967.
- Furnas, J. C. Goodbye to Uncle Tom. New York: Sloane and Associates, 1956.
- Fyfe, Christopher. "Baptist Churches in Sierra Leone" Sierra Leone Bulletin of Religion, V (1963), pp. 55-61.
- Fyfe, Christopher. Sierra Leone Inheritance. London: Oxford University Press, 1964.
- Gabel, Creighton. "Toward an Interdisciplinary Method for African Culture History" Reconstructing African History. Ed. Creighton Gabel and N. R. Bennett. Boston: Boston University Press, 1967.
- Gausseau, Pierre-Dominique. Forêt Sacrée: Magie et Rites Secrets des Tomas. Paris: Editions Albin Michel, 1954.
- Gibbs, James L. "Porro Values and Courtroom Procedures in a Kpelle Courtroom" Southwestern Journal of Anthropology, XVIII (1962), pp. 341-350.
- Gibbs, James L. "The Kpelle of Liberia" The Peoples of Africa. Ed. James L. Gibbs. New York: Holt, Rinehart, and Winston, 1965.
- Gluckman, Max. Politics, Law, and Ritual in Tribal Society. New York: Mentor Books, 1965.
- Gordon, J. "African Law and the Historian" Journal of African History, VIII (1967), p. 335.
- Hall, H. U. The Sherbro of Sierra Leone. Philadelphia: University of Pennsylvania Press, 1938.
- Harley, George W. Masks and Agents of Social Control in Northeastern Liberia. Papers of the Peabody Museum of American Archaeology and Ethnology, XXXII. Cambridge: Harvard University Press, 1947.

- Harley, George. Notes on the Poro of Liberia. Papers of the Peabody Museum of American Archaeology and Ethnology, XIX. Cambridge: Harvard University Press, 1941.
- Harley, George. Native African Medicine. New York: Cass Publishers, 1970.
- Harris, Marvin. The Rise of Anthropological Theory. New York: Crowell Press, 1968.
- Himmelheber, Hans. Aura Poku. Eisenach, FDR: Rich R8th Verlag, 1951.
- Himmelheber, Hans and Ulrike Himmelheber. Die Dan: Ein Bauernvolk im westafrikan Urwald, Ergebnis drier Völkerkindlicher Expeditionen im Hinterlande Liberias, 1949-1950, 1952-1953, 1955-1956. Stuttgart: Kohlhammer Verlag, 1958.
- Hoebel, E. Adamson. The Law of Primitive Man. Cambridge: Harvard University Press, 1967.
- Howells, William. The Heathens: Primitive Man and His Religion. New York: Doubleday-Anchor, 1962.
- Huber, Hugo. "Ritual Oaths as Instruments of Coercion and Self-Defense among the Adangme of Ghana" Africa, XXIX (1959), pp. 41-49.
- Hutchinson, Thomas J. Impressions of Western Africa. London: Longman, Brown, Green, Longmans, and Roberts, 1858.
- Ingham, Right Reverend E. G. Sierra Leone after a Hundred Years. London: Seeley and Company, 1894.
- Jablow, Alta. An Anthology of West African Folklore. New York: Thames and Hudson, 1962.
- Johnston, Sir Harry. Liberia. Two volumes. New York: Dodd, Mead, and Company, 1906.
- Kaigh, Frederick. Witchcraft and Magic of Africa. London: Richard Lesley and Company, Ltd., 1947.
- Keesing, Felix. Cultural Anthropology. New York: Holt, Rinehart, and Winston, 1958.
- Keesing, Felix. The Ethnohistory of Northern Luzon. Palo Alto: Stanford University Press, 1962.
- Kingsley, Mary H. Travels in West Africa 1862-1900. London: MacMillan and Company, 1897.
- Kingsley, Mary H. West African Studies. Third Edition. London: MacMillan and Company, 1899.

- Kirk-Greene, A. H. M. "On Swearing" Africa, XXV (1955), p. 43.
- Kluckhohn, Clyde. "Myth and Ritual" Reader in Comparative Religion. Second Edition. Ed. William Lessa and Evon Vogt. New York: Harper and Row, 1965.
- Kup, A. P. "Jesuit and Capuchin Missions of the Seventeenth Century" Sierra Leone Bulletin of Religion, V (1963), pp. 27-34.
- Lessa, William and Evon Vogt. Reader in Comparative Religion. Second Edition. New York: Harper and Row, 1965.
- Lewis, Herbert S. "Ethnology and African Culture History" Reconstructing African Culture History. Ed. Creighton Gabel and N. R. Bennett. Boston: Boston University Press, 1967.
- Lewis, Roy. Sierra Leone: A Modern Portrait. London: Her Majesty's Stationer's Office, 1954.
- Lewis, Roy and Yvonne Foy. The British in Africa. New York: Weidenfield and Nicolson, 1971.
- Little, Kenneth. "The Mende of Sierra Leone" African Ideas of God. Ed. Edwin Smith. Edinburgh: House Press, 1950.
- Little, Kenneth. The Mende of Sierra Leone. London: Routledge and Kegan Paul, 1954.
- Little, Kenneth. "The Mende of Sierra Leone" African Worlds. Ed. Daryll Forde. London: International African Institute, 1954.
- Lloyd, P. C. Africa in Social Change. New York: Penguin Books, 19 .
- Luke, Barry Charles. A Bibliography of Sierra Leone. Westport, Connecticut: Negro Universities Press, 1969.
- McAllister, Agnes. A Lone Woman in Africa. New York: Hunt and Eaton, 1906.
- McCall, Daniel F. Africa in Time Perspective. Boston: Boston University Press, 1964.
- McCulloch, M. The Peoples of the Sierra Leone Protectorate. London: International African Institute, 1945.
- Mair, Lucy P. "Witchcraft as a Problem in the Study of Religion" Cahiers d'Etude Africaines, IV (1964), pp. 335-348.
- Malinowski, Bronislaw. Crime and Custom in Savage Society. New York: Harcourt, Brace, and World, 1926.

- Malinowski, Bronislaw. Magic, Science, and Religion. New York: Doubleday-Anchor, 1954.
- Messenger, John C. "Role of Proverbs in a Nigerian Judicial System" Southwestern Journal of Anthropology, XV (1959), pp. 64-73.
- Migeod, F. M. H. A View of Sierra Leone. London: Kegan Paul, 1926.
- Milligan, Robert H. The Jungle Folk of Africa. London: Fleming H. Revell, Co., 1908.
- Mills, Lady Dorothy. Through Liberia. London: Duckworth Press, 1926.
- Moore, Omar Khayam. "Divination: A New Perspective" Reader in Comparative Religion. Ed. William Lessa and Evon Vogt. New York: Harper and Row, 1965.
- Morris, Herbert. Guilt and Shame. Belmont, California: Wadsworth Press, 1971.
- Murdock, George Peter. Africa: Its People and Their Culture History. New York: McGraw-Hill, 1959.
- Nadel, S. F. "Reason and Unreason in African Law" Africa, XXVI (1956), p. 160.
- Nader, Laura, Klaus F. Koch, and Bruce Cox. "The Ethnography of Law: A Bibliographic Survey" Current Anthropology, VII (1966), pp. 267ff.
- Ndanema, Isaac. "The Rationale of Mende Swears" Sierra Leone Bulletin of Religion, VI (1964), pp. 21-25.
- Norbeck, Edward. "African Rituals of Conflict" American Anthropologist, LXV (1963), p. 1254.
- Park, George K. "Divination and Its Social Contexts" Reader in Comparative Religion. Ed. William Lessa and Evon Vogt. New York: Harper and Row, 1965.
- Parrinder, Geoffrey. West African Religion. London: Epworth Press, 1949.
- Parrinder, Geoffrey. West African Psychology: Comparative Study of Psychology and Religious Thought. London: Butterworth Press, 1951.
- Parsons, Robert T. "Kono Religion and Preparation for Adult Life" Sierra Leone Bulletin of Religion, III (1961), pp. 11-16.
- Parsons, Robert T. "Kono Religion and Adult Crises" Sierra Leone Bulletin of Religion, IV (1962), pp. 51-53.
- Parsons, Robert T. Religion in an African Society. Leiden: E. J. Brill Verlag, 1964.

- Paulme, Denise. Les Gens du Riz. Paris: Libraire Plon, 1954.
- Periot, Gerard. Night of Tall Trees: Account of a Journey of 1500 Miles on Foot Through the Liberian Jungle. London: Frederick Muller, Ltd., 1960.
- Piers, Gerhart and Milton B. Singer. Shame and Guilt: A Psychoanalytic and A Cultural Study. Springfield, Illinois: Charles C. Thomas, 1953.
- Pitt, David C. Use of Historical Sources in Anthropology and Sociology. New York: Holt, Rinehart, and Winston, 1972.
- Pospisil, Leopold. The Nature of Law. Eugene, Oregon: University of Oregon M. A. Thesis, 1952.
- Price, J. H. Political Institutions of West Africa. London: Hutchinson Educational Press, 1967.
- Radcliffe-Brown, A. R. Structure and Function in Primitive Society. New York: The Free Press, 1965.
- Radin, Paul. The Method and Theory of Ethnology. New York: McGraw-Hill, 1933.
- Ranger, T. O. Emerging Themes of African History. Dar es Salaam: East African Publishing House, 1968.
- Rawick, George. The American Slave from Sundown to Sun-up. Westport, Connecticut: Greenwood Press, 1972.
- Renner, Dr. W. "Native Poison: West Africa" Journal of the African Society, III (1904), pp. 99-102.
- Roberts, J. M. "Oaths, Autonomic Ordeals, and Power" American Anthropologist, LXVII (1965), p. 186.
- Rubin, Morton. Plantation County. New Haven: College and University Press, 1951.
- Schwab, George. Tribes of the Liberian Hinterland: Peabody Expedition of 1947. Cambridge: Harvard University Press, 1947.
- Simmons, Donald. "Efik Divination, Ordeals, and Proverbs" Southwestern Journal of Anthropology, XII (1956), p. 223.
- Social Science Research Council. The Social Sciences in Historical Study. New York, 1954.
- Solomon, Marvin D. and Warren L. D'Azevedo. A General Bibliography of the Republic of Liberia. Evanston: Northwestern University Press, 1962.

- Strong, Richard. The African Republic of Liberia: The Harvard Expedition of 1926-1927. Cambridge: Harvard University Press, 1930.
- Sturtevant, William. "Anthropology, History, and Ethnohistory" Ethnohistory, XIII (1966), pp. 1-52.
- Swanson, Guy. The Birth of the Gods. Ann Arbor: Ann Arbor Paperbacks, 1966.
- Tannenbaum, Frank. Slave and Citizen: The Negro in the Americas. New York: Alfred Knopf, 1947.
- Thomas, Northcote W. The Anthropology of Sierra Leone: Law and Custom of the Timne and Other Tribes. London: Harrison and Sons, 1916.
- Thompson, George. The Palm Land, or West Africa. London: Dawsons of Pall Mall, 1858.
- Trimingham, J. Spencer and Christopher Fyfe. "Early Expansion of Islam in Sierra Leone" Sierra Leone Bulletin of Religion, II (1960), pp. 33-40.
- Trimingham, J. Spencer. The Influence of Islam on Africa. New York: Frederick Praeger, 1968.
- Vansina, Jan. "Ethnohistory in Africa" Ethnohistory, IX (1962), pp. 126-136.
- Vansina, Jan. "Oral Tradition as History in Africa" Daedalus, C (1971), p. 442.
- Vansina, Jan, R. Mauny, and L. V. Thomas (Ed.). The Historian in Tropical Africa. London: Oxford University Press, 1964.
- Vernon-Jackson, Hugh. West African Folktales. London: University of London Press, 1958.
- Viard, Capitaine René. Les Guerés: Peuple de la Forêt. Paris: Société d'Éditions Géographique, Maritimes, et Coloniales, 1934.
- Wallace, Anthony F. C. Religion: An Anthropological View. New York: Random House, 1966.
- Warner, Esther Sietmann. "A Liberian Ordeal" Studies in the Anthropology of Conflict. Ed. Paul Bohannon. Garden City: Natural History Press, 1967.
- Willans, R. H. K. "The Konnoh People" Journal of the African Society, VIII (1909), pp. 130-144.

- Wilson, Charles Morrow. Liberia. New York: Sloane Associates, 1947.
- Wilson, Reverend J. Leighton. Western Africa: Its History, Condition, and Prospects. New York: Harper Brothers, 1856.
- Winterbottom, Thomas. An Account of the Native Africans (1803). Two Volumes. London: Cass Publishers, 1969.
- Wylie, Kenneth. "Ethnohistory and Political Change" Journal of Modern African Studies, VIII (1970), pp. 113-122.

APPENDIX A

A SUMMARY OF THE EXPLORERS TO SIERRA LEONE AND LIBERIA, WITH SPECIAL REFERENCE TO THE PRACTICE OF THE SASSWOOD ORDEAL

EXPLORER	DATE	TRIBES	SASSWOOD ORDEAL	OATHS
Cadomosto	1455	Wolof, Serer	X (?)	
Valentin Fernandes	1506-1510	Bulões (Bullom?)		X
John Hawkins	1560	?		X
A. A. De Almada	1594	Sapes, Fulas		X
Olfert Dapper	1620	Mandingo Bellimo (Bullom?)		X
Thomas Corker	1684	Sherbro	X	X (?)
John Matthews	1788	Sherbro, Susu, Mandingoes		X (?)
Zacharay Macaulay	1793, 1796	Sherbro, Bullom	X	X
Adam Afzelius	1795-1796	Temne, Bullom	X	X
Thomas Winterbottom	1803	Fulas, Mandingoes, Kru, Temne	X	X
Joseph Corry	1805-1806	Mandingoes, Kru, Temne (?)	X	X
Capn. E. Harrington	1840	Temne	X	
Horatio Bridge	1843-1844	Kru, Temne (?)	X	X
Rev. C.W. Wilson	1856	Temne, Grebo, Susu	X	X (?)
Thomas Hutchinson	1858	Kru, Temne	X	X

EXPLORER	DATE	TRIBES	SASSWOOD ORDEAL	OATHS
George Thompson	1858	Sherbro, Susu, Mende, Kru	X (?)	X
Harriet Brittan	1860	Kru, Grebo	X	
Sir Richard Burton	1863	Kru, Temne, Kissi, Grebo, Mandingo	X	
A. B. Ellis	1883	Sherbro, Rossu (?), Temne	X (?)	
Johan Büttikofer	1890	Vai	X	X (?)
Mary Kingsley	1896-1900	Temne, Gallina, Sherbro, Kru	X	X
R. H. K. Willans	1901	Kono		X
T. J. Alldridge	1901	Sherbro, Krim, Kru	X	X (?)
Agnes McAllister	1906	?	X	
Sir Harry Johnston	1906	Vai, Gio, Mano, Sikon, Mandingo, Kru, Kpwesi	X	X
Robert Milligan	1908	Bullom, Mende	X	
K. J. Beatty	1915	Temne	X	X
N. W. Thomas	1916	Temne, Susu, Limba	X	X
Lady Dorothy Mills	1923	Vai, Grebo	X	X
Richard Strong	1926-1927	Kpwesi, Bullom, Kru, "Gibis," Mende, Grebo, "Buriowali"	X	X
F. M. H. Migeod	1926	Susu, Limba, Temne	X	X
Capn. René Viard	1934	Guerés	X	
H. U. Hall	1938	Sherbro, Bullom	X	X

EXPLORER	DATE	TRIBES	SASSWOOD ORDEAL	OATH
M. McCulloch	N.D. ca. 1945	Mende, Loko, Temne, Limba, Vai, Yalunka, Susu, Koranko	X (?)	X
Charles Wilson	1947	Mano	X	
George Schwab	1947	Mano, Gio, Vai, Haif-Grebo, Grebo	X	X
George Harley	1947	Vai, Mano, Kpwesi, Kpelle, Dan	X	X
Kenneth Little	1949	Mende		X
Esther S. Warner	1949	?	X	X
Gausseau	1958	Toma	X (?)	
Denise Paulme	1954	Kissi	X	X
H. Himmelheber	1958	Dan	X	X
Gerard Periot	1959	Bassa "Liberians"	X	X
Vernon Dorjahn	1959	Temne	X	X
Ruth Finnegan	1960-1961	Limba	X	X
Kenneth Parsons	1961	Kono		X
Eberhard Fischer	1967	Dan	X	X

APPENDIX B

Reproduced from Adam Afzelius, Sierra Leone Journal 1795-1796
(Uppsala, Sweden: Studia Ethnographica Uppsaliensa, XXVII, 1967),
pp. 24-30.

A REDWATER TRIAL

It was about 10 o'clock a.m. when we arrived, and then almost everything was ready for the trial; but they could not begin it before the arrival of Sr. Domingo, as a principal person in this business. Near 11 o'clock arrived at last Sr. Domingo. And as every thing besides was now ready for the trial, they were going to begin it directly. But before I commence to give a description of it, I shall state the case.

When that great Parlayer was held here in September, I believe, 1793, on account of Prince Naimbanna's death, there were Natives and their Chiefs assembled not only from Sierra Leone, but also from all neighboring Countries round about--During this time and second day after they had been assembled, there was found in the morning a dead body in a canoe in Susan's bay. Being visited it was found to have a blow on the head, and consequently it was commonly believed, that the man had been killed by some body unknown--But as it was proved, that he had been drunk the preceding night, it was not at all improbable, that he might have fallen down in the canoe and killed himself.

But be this as it may, the young Domingo, to whom the dead man belonged, accused another from Bullamshore of having killed him. They had been seen together the preceding night, as well as some other Natives, drinking and rankling. But as the accuser particularly if a headman in a capital crime is not obliged to alledge any reason, the real motive of the accusation always remains a profound secret. He may do it upon a very good foundation, but also only out of spite and enmity. And the accused have no other change or method of clearing himself, than to submit to drink the red water.

This is the case here. The poor man from Bullamshore was accused of having killed one of little Domingo's people, and little Domingo was not satisfied without his drinking of red water. But it seemed as he had directly taken his refuge to Jenmy Queen and Robin Dick, for they were evidently his defenders. He was now living in the town of the latter and under his protection, and the former had already let him secretly drink the red water to see, whether he could stand the public trial. This is however common, and scarcely any body drinks publicly the red water who has not done it privately before amongst his friends.

As Robin Dick and Jenmy Queen were on the side of the accused, so great and little Domingo were against him and the latter acquiesced entirely in the superior talents and uncommon efforts of his Brother to get the man guilty.

And no wonder, that they make their best endeavours on both sides; for when the matter is carried so far as to the trial, it is an affair of great consequence to both parties. For on one side there is a life to be lost or saved, and even if the man should not die by drinking of

the water, if there should be committed the least fault, or he not able to stand the trial according to the full vigour of this savage custom, he will either be doomed to slavery, he and his whole family, or pay three slaves to the accuser.

On the other side there is the prosecutor, who if the defendant goes through the trial in its full extent according to the laws of the country as they call it, will be obliged to pay a slave, who, it seems, ought in justice to belong to the accused, but whose value his defenders always share between themselves.

As it is necessary that the red water should be taken on an empty stomach, watch is always given to the accused the night previous to the trial, in order to prevent him from eating anything, that may promote throwing off the water by vomiting.

At our arrival to Prince George's, the delinquent and his body Guard, consisting of about 8 or 10, chiefly young men, were seated in the Parlaver house, and no other person was then allowed to go there. They were all dressed in a decent manner, but the accused was stark naked, except a narrow cloth or girdle round the waist.

As soon as Sr. Domingo had arrived, this body of people arose, on a signal or order given by Prince George, going all in the wood, and one of them carried the delinquent on his back. The cause of their retreat, I suppose, was to make necessary preparations and to put everything in readiness and order on the place of the trial--In the mean time there was a great deal of consultation between the Chiefs, particularly those who were interested in the issue--And at last they were all called to come in Prince George's house by Domingo, who read to them, being assembled

and seated down on the ground, a long speech, containing ... the statement of the case and the indictment. This being finished, there was fired a gun, as a signal that the trial was to commence and that we should all retire to the place, where it was to be held ... Having gone about a half a mile through the woods, we arrived to a lugar, where we found the delinquent and his attendants before us, on the left hand side or towards the west, for we came in to the place from about the south. We were ordered to keep to the right hand side or towards the East ... Amongst us and next to us were the principal chiefs seated, as Sr. Domingo, Robin Dick, etc.--Behind us and towards the S.E. were a great crowd of the lower people, and farther towards the S., on the right hand of the entrance to the lugar, were standing all the women and the smaller children, and the very entrance was occupied by some of the inferior chiefs--on the North or towards the sea were no people at all. Jemmy Queen and Prince George had placed themselves within the crowd, at some distance from one another--This whole assembly was thus arranged in the form of a circle, which was open on the N. Side.

The accused stood before his Guard, very near to it, and turned his face towards the south ... At the right hand side were erected two stakes at a distance of four feet, and of these that towards the south was much higher than the other. These two stakes were besides joined by two cross-stakes, one above the other and on different sides of the erect stakes, or in that manner, that they formed a sort of seat, the upper cross stake being a support to the back, and the lower one a place to sit on.

Behind this so called seat or towards the west, and the southern side of it, the ground was neatly covered with Plantain Leaves, on which were placed the bark, that was to be used, a large brass kettle, filled with clear water, a straight new cut stake, a whisk or wisp with four short thick horizontal teeth of the same length and in the form of a half circle, and a larger Poloon or Wooden mortar. These implements seemed all very neat and clean and were all put on the south side of the seat;--Before the seat were some new cut sticks all laid across, on which the delinquent was standing, so that he did not touch the ground.

The effects and consequences of drinking the water are, according to the ideas and custom of the Natives as follows: If the drinker by vomiting throws up all the Colàh or rice he has taken on an empty stomach, before the sunrise the following morning or much more if he does it during the very trial then is he innocent and publicly declared not guilty of the crime for which he was accused. But if he should die on the spot, or by purging get rid of the Colàh or rice, then is he believed and proclaimed Guilty. In the former case his whole family and sometimes also his nearest relations are sentenced and dragged into slavery; and in the latter he is to join them himself and to share their miserable fate.

As soon as the man has vomited any part of the Colàh, he is released for the present and allowed to leave the place of Trial, tho' always accompanied by his guard or some other persons, who narrowly watch him, for he is not yet considered as innocent. He must by vomiting get rid of all the Colàh he has taken, before the next morning, and that without having any other evacuation during the same time, neither

pissing nor purging. But should he fail in any of these circumstances, that is to say, if before the stated time neither all the Colāh should come up, or he should be obliged to go to Stool or under necessity of pissing, then he is considered Guilty and doomed to slavery. But in this case he can redeem himself by procuring three other slaves which he had not right or sanction to do, if all the Colāh had remained within the body or been purged out, and no part by vomiting thrown away.

Amongst the Guard of the delinquent there is always one confident person selected as Headman, who superintends all the preparations before the Trial and the making of the red water, who makes some speeches and who takes care, that every thing goes on decently and according to custom during the whole Trial. The person who was now chosen seemed to be a middle aged man grave and steady, with shaved head. I never saw him before. He opened the proceedings and spoke some words, as soon as we were all assembled and seated. I understood, he reproached the Headmen and Chiefs for having retarded the Trial and had kept him, the watch and the delinquent waiting too long a time. Jemmy Queen and Robin Dick gave him an animated answer in few words. They seemed to speak with indignation.

This matter being settled it was ordered, that the Red water should be made--The Headman who had the direction of this business, arose and spoke to him and to one of his attendants or of the guard, who directly took up the bark intended for the preparation of the water, and shewed it to the assembled multitude, turning it on all sides and in all directions for a good while. There were three pieces or cakes of it, nearly orbicular, almost as large as common plates & all of equal size. The

outer or rough bark had been taken off and the cakes afterwards scraped, washed, and cleaned in a nice manner.

In this state they were shewn to the surrounding crowd, which being done, they were untied and taken out of the cleft of the stick, in order as they sat in it, and laid down on the Banana Leaves. The man who was ordered to prepare the red-water took then, after having previously washed his hands, these bark cakes, one after the other and holding them over the wooden mortar, broke them into pieces, which were afterwards beaten by a wooden pestle into as small parts as the moisture of the bark would permit of, for it was not dried, but quite fresh, taken from the tree that very morning.

The bark being sufficiently pounded, it was taken out of the Poloon and put into the Brass Kettle above mentioned, which I was assured did not contain any thing pure pure and clean water.

Here it remained for a while in order, as I supposed, that all virtue, power and strength contained in the bark, should be drawn out and communicated to the water--In the meantime several transactions took place, which I shall relate in order as they were performed.

In the first place the Headman of the Guard on the making of the red water rose and advancing towards the delinquant stopped opposite to him at a very little distance. Here he held a long speech to him, which he seemed to deliver with a cool steady and deliberate mind, without that affected zeal, that noisy vehemence and those ridiculous gestures, which disgraced the performances of the Other Orators. I did not understand a word of what he said. But I should imagine, that he repeated the indictment, stated the case with all its circumstances, and

admonished the accused not to drink the water, if he was guilty, but exhorted him on the contrary to shew himself an Hero, in case he was Innocent, and so on--Before he began his speech, he took out of his pocket a red Colàh, I believe a whole one, and having taken a bite of it himself, which he shewed and swallowed, he gave the rest to the delinquent who also shewed and swallowed it--As being no chief he was not permitted to use the sacred Parlaver-broom or brush--During the whole speech, there was a man of the guard standing behind the delinquent, and turning his back towards the speaker's face and the back of the delinquent, finished every sentence of the speaker with a word, that signifies the same as our Amen or it is true.

As soon as the Speaker had ended his discourse, he withdrew and sat down on his former place ... But then began the delinquent himself to speak, in order as I was told, to clear himself of the crime laid to his charge, and to prove his innocence, which would appear more evidently by his drinking the red-water without the least hesitation, as he was convinced, it would not do him the least injury ... The assembly seemed not displeased with his defence, tho' pretty long, they listened to with attention and patience.

After he had finished, the man, who had before pounded the bark and put into the Brass Kettle, began to take it up out of the water ... --He took the pounded bark and squeezed it with all his might between the hands, in order that all the water contained in it, might run out in the kettle, and at the same time he rolled it into oblong balls as large as a fist, which he laid down on the Banana Leaves, one near the other. And this operation he continued till there was no bark left in the water.

Then he took the whisk and beat it uninterruptedly, till it began to lather so much, that I saw the froth above the edges of the Kettle. This circumstance made me quite astounded, for I had not expected to find such a virtue in the redwater bark, which I had hitherto only considered as emetic, and powerful cathartic. But being at the same time of a saponaceous nature seems rather inconsistent, for the latter quality commonly destroys the former two. The case must therefore be this. Either operates the red water only as to its quantity taken and that differently according to different constitutions; or do they secretly put some emetic into the water. But as everything seems to be administered very fairly and in so open a manner, that any body may discover, whether there is committed any roguish trick, or not; I can not conceive, how it might be possibly done, if the emetic substance should not be put beforehand into the mortar or the clean water contained in the brass Kettle, these being the only two things I could not examine myself nor did I see any body else do it.--But be this as it may, it is an undeniable fact, that the red water produces a lather like soap, and that the effect or consequence of drinking it, is vomiting or purging.

The water, which a person accused of a capital crime, is obliged to drink according to the African custom, is called Red water over the whole coast, at least hereabouts and to the northward. From this denomination one would naturally expect to find either the bark or the water or both of a red colour; but no such thing, for though the bark has sometimes and in some places a faint tincture of a pale red, you won't observe the least of it in the water. And therefore I do not understand what might have been the origin and cause of this improper name.

As soon as the culprit had finished his speech, there was adduced by Beaver Tom some Grigris contained in a leather bag, and which I believe consisted chiefly of some new cut and fresh twigs of certain plants. This bag being laid upon the ground before the accused at some distance from him, Beaver performed a religious or rather superstitious ceremony in consecrating the Grigris by strewing some flour of Indian corn on them and in a circular form on both sides at a great distance, and at the same time delivering a long speech or speaking continually during the whole operation.

Grigris so consecrated are considered more holy than before and by them the Culprits are to swear, whose oaths are then regarded as more binding than otherwise; just in the same way as the Bible is used in taking oaths by the Christian. When Beaver Tom had performed his office, the Culprit began to speak, swearing by his consecrated Grigris, that he would speak truths and was willing to undergo the trial by drinking the red-water, as he knew, that it could not hurt him being innocent.

The water being cleaned from all bark and properly beaten by the wisk, some of the Chiefs and several other persons arose and went to see, whether the water was properly made, pure and genuine, as it was now considered as ready made. And after them having unanimously testified their approbation of it, the Headman of the Culprits Guard arose to consecrate this water by making a speech over it ... (and) he followed a usual custom in striking the Kettle a certain number of times with each of the sticks.

Having gone through all the sticks and finished his speech, the Chiefs gave signal, every thing now being ready for the beginning of the

most essential and most serious part of this water ordeal. The Director spoke then to one of the attendants to administer the water to the Culprit, who had hitherto stood upon some cross sticks immoveable turning his face towards the South or S.S.E., as I have observed above; but now when he was going to begin the drinking, he moved and set himself up in the towermost cross stick between the two posts, which I have mentioned above was put together in some shape of a chair, at least so that he could use the lower cross stick as a seat and have support for the back of the upper one. He now turned his face towards the East or the E.N.E.

Being thus seated, the man, who was appointed to administer the water, and who now for a beginning was the same that had prepared it, took a large Calabash measuring about a pint filled it quite full with the prepared water, leaving only some few drops on the bottom which the administrator of it in order that the ordeal should be performed fairly, poured out on the ground, so openly and slowly that every man present could see, that the Calabash was quite empty. He then filled another, and so on uninterruptedly, till he had consumed five, then he wished for some respite, which being granted, he directly began to puke and threw up a great deal of water, after some vain efforts and violent convulsive motions of the muscles of the Belly, which were evidently seen from without, and must have tortured him internally with excruciating pains.

After a short pause he desired the man to give him some more water and then he drank five full Calabashes again, but not so fast and uninterruptedly as the five first. For he stopped now a little at each or every second Calabash, reaching and vomiting very often more or less, commonly with muscular convulsions in the stomach.

most essential and most serious part of this water ordeal. The Director spoke then to one of the attendants to administer the water to the Culprit, who had hitherto stood upon some cross sticks immovable turning his face towards the South or S.S.E., as I have observed above; but now when he was going to begin the drinking, he moved and set himself up in the towermost cross stick between the two posts, which I have mentioned above was put together in some shape of a chair, at least so that he could use the lower cross stick as a seat and have support for the back of the upper one. He now turned his face towards the East or the E.N.E.

Being thus seated, the man, who was appointed to administer the water, and who now for a beginning was the same that had prepared it, took a large Calabash measuring about a pint filled it quite full with the prepared water, leaving only some few drops on the bottom which the administrator of it in order that the ordeal should be performed fairly, poured out on the ground, so openly and slowly that every man present could see, that the Calabash was quite empty. He then filled another, and so on uninterruptedly, till he had consumed five, then he wished for some respite, which being granted, he directly began to puke and threw up a great deal of water, after some vain efforts and violent convulsive motions of the muscles of the Belly, which were evidently seen from without, and must have tortured him internally with excruciating pains.

After a short pause he desired the man to give him some more water and then he drank five full Calabashes again, but not so fast and uninterruptedly as the five first. For he stopped now a little at each or every second Calabash, reaching and vomiting very often more or less, commonly with muscular convulsions in the stomach.

... Sr. Domingo arose, went to the place, took the whisk and began to speak in an animated voice. He seemed to employ all his endeavour, all art and cunning, all possible efforts, all strength of arguments and reasoning, shortly all means and devices his natural skill and acquired abilities could afford or furnish him with, to put the Culprit in fear and make him despondent, and to convince the assembled multitude, that he was guilty of the capital crime he was accused of. He therefore not being satisfied with the Timany (Temne) Grigris, or thinking them not powerful enough, let his own, or Portuguese Grigris, be brought forward and put near to the former; and spoke over them alternatively for a good while. (The Culprit) drank now and then a Calabash of redwater, and when he had taken the 10th, he vomited abundantly throwing up a great quantity of water and at last there came out some thing which at the distance I sat seemed on the ground where it fell to resemble white froth, and on my asking what it was, I got for an answer that it was a part of the half Cola he had been eating before the commencement of the trial, that he now began to shew his innocence and that he consequently could hope to go through his trial without any detrimental accident.

As soon as this part of the Cola was thrown up, many of the assembled people, and principally all the chief men, arose and went to look at it, several of them at the same time uttering some few words which I was told implied, that tho' it was the true Colāh he had vomited still it was not a sufficient portion to shew that degree of innocence, that he could yet be released, but he must first drink some more water. And accordingly he set about it again ... and at the end of it threw up a greater portion of Colāh, which being observed, Jemmy Queen stood up and

spoke some few words to him, purporting as I understood, that he had now shown enough of his innocence to be at some liberty, and that he could therefore now descend from his seat, go home and take some rest.

Then came an old woman, and spoke to the Culprit in a very decent and emphatic manner. Her speech was rather short, which being finished there came two young women running out from the female crowd towards the Culprit, accusing him for bad behavior to the sex in general and them in particular as he had not done his duty and given them full satisfaction, speaking rather indecently but in few words. They had neither the whisk in the hand, nor did they seem to make so much ceremony of it as the other speakers. They were only forced according to the usual custom to confess openly their secret opinion about the Culprit, for at such occasions every body present man or woman who has any thing against the person who stands his trial, must come forward and publicly accuse him of it. This is the law of the Country.

During these speeches of the women, the Culprit took two or three calabashes of water. It did not do any effect before they had retired, and then he vomited very violently, and at last threw up a great portion of Colâh, than he did the first time; which being observed, several went to look at it, but Jemmy Queen approaching nearer, spoke some few words to the Culprit, purporting as I understood, that he had now shown enough of his innocence to be set at some liberty, and that he could therefore now descend from his seat, go home and take some rest.

Accordingly, he descended, shook himself as a wet fowl stretched out all his limbs and very unexpectedly began in a moment to run as fast

as he ever could, towards Prince George's town, which when the people saw, they gave up a terrible shout, and ran after him as if they had been mad, particularly the Chiefs, who by their violent endeavours, soon outstripped all the others and became the foremost, next to the Culprit, keeping close to his heels, bellowing, roaring, howling all the while, till they reached their goal. We then found as before the trial, the women in one place or house, and the men dispersed about in several, walking or seated, silent or discoursing, and in the middle of them the Culprit in the same undress taking exercise by walking, running, and jumping in order to prevent any bad effect of his drinking so much water and of other restraints during the trial by sitting or standing immoveable for so long a while.

I enquired what might be the meaning of their running so fast after the Culprit, their shrieking and crying, and what it now was to become of him, whether his trial was over and he sat at perfect liberty as found innocent, or whether he was to be kept in custody still longer, as having not yet fulfilled all the laws required--To the first I got for answer, that it was a custom of the Country to cry and run after a culprit to prevent him from any evacuation during the way, for in that case the trial should turn out abortive, and the Culprit be found guilty in a certain degree--And as to his present situation, they said, he was only released from the hardest or most difficult part of the trial, that he may have the opportunity of taking some rest and getting a necessary relaxation, but he was still in some sort of confinement, and they were to watch him narrowly till day light and the following morning, in order that they should see themselves and so be able to convince others, that

he had really vomited up the whole Colăh before that time without any other evacuation.

During the whole trial the assembled multitude behaved with greater propriety order and decorum, than I had expected. Every one set quite still and attentive on what was going forward very seldom any body spoke or made the smallest noise but who had a right and observed his due time ... The people who set or stood in semicircles confabulated also together rather too loud and sometimes too much. And we Europeans were in this regard as bad as any body else.