# LIBERIA'S RELIGIOUS DEMOCRACY AND HIDDEN CONFLICTS PRESENTED BY COUNSELLOR JALLAH A. BARBU CHAIRPERSON, LAW REFORM COMMISSION OF LIBERIA AT THE NINETEENTH ANNUAL INTERNATIONAL LAW AND RELIGION SYMPOSIUM INTERNATIONAL CENTER FOR LAW AND RELIGION STUDIES BRIGHAM YOUNG UNIVERSITY, PROVO - UTAH OCTOBER 7 – 10, 2012

## CONFERENCE THEME: RELIGION, DEMOCRACY AND CIVIL SOCIETY"

### **BACKGROUND/BRIEF HISTORY OF LIBERIA**

Liberia is the oldest independent republic in Africa. Founded in 1822 as the Colony of Liberia and later the Commonwealth of Liberia, the country gained its independence from the American Colonization Society (**ACS**) on July 26, 1847. Situated on the West Coast of Africa and bordered by the Republics of Guinea, Ivory Coast and Sierra and the Atlantic Ocean, Liberia occupies an area of approximately 43,000 square miles<sup>1</sup> which is occupied by an estimated population of 3.5 million people. Its growth rate is 2.1 percent.<sup>2</sup> Liberia is the first African

<sup>&</sup>lt;sup>1</sup> Bureau of African Affairs, U.S. Department of State profile of Liberia, January 2010

<sup>&</sup>lt;sup>2</sup> The Liberia Institute of Geo-Information Services (LISGIS) 2008 report of the National Housing and Population Census (the exact figure in the final report is 3,489,075)

Country to elect a female president, Mrs. Ellen Johnson-Sirleaf who is now serving her second and final six-year term.

The ACS was a philanthropic organization established in the United States of America (**US**) to repatriate and resettle former Negro slaves in Africa.<sup>3</sup> It comprised pastors, Christians, and other humanitarians determined to abolish slave trade and to restore the dignity to their fellow human beings. Thus, the country was named Liberia to connote liberty. Those repatriated were generally referred to as the settlers.

The Republic of Liberia has had two constitutions, the 1847 Constitution and the 1986 Constitution. The latter abrogated the first through the instrumentality of the military regime that governed the country from April 12, 1980 to January 5, 1986. Accompanying the 1847 Constitution was the Declaration of Independence which pronounced the severance of political relationship with the ACS that indirectly controlled the Country from 1822 to 1847. This document also emphasized settlers' recognition of a Christian God in whose name as their common Creator, they appealed to "the nations of Christendom" to accept the declaration of their independence and recognize the country as a sovereign state.

<sup>&</sup>lt;sup>3</sup> Huberich; 23.

Although the 1847 Constitution was not so clear on the subject of state religion, it too recognized Christianity as the primary religion of the country. Additionally, the Supreme Court of Liberia seemed to support the Constitution on the one hand while on the other, established that neither does Liberia maintain any state religion nor places one religion over the other. The 1986 Constitution expressly neutralized this position taken by the framers of the earlier Constitution. In the wake of these developments, there have been numerous interactions between Christians and members of other faiths, including Islamists and Animists. This paper reviews some of these interactions, sometimes cordial and other times hostile.

## LAWS ON RELIGION IN LIBERIA

Liberia has two major religions, Christianity and Islam. A third but now declining group is what may be termed the traditionalist. According to the constitution and laws of Liberia, there is no state religion (Article 14, 1986 Constitution). At least one hundred and thirty-three years after independence, Christianity was the recognized religion under the 1847 Constitution. Additionally, the Declaration of Independence which today remains a standing legal instrument of the country provided inter alia that the settlers relied "upon the protection of the Great Arbiter of human events," meaning "God" to declare independence, and that "the light of Christianity has gone forth" from them to the them to the native Africans. On the basis of these provisions in the 1847 Constitution and the

Declaration of Independence, there exists up to today the argument that "Liberia was built on Christian principles." This argument cannot be said to be without reason. One wonders why the framers of the Constitution and the people themselves who adopted it in a referendum deliberately agreed to treat all Christian sects equally rather than all religious groups equally? Could this have been an oversight or a mistake? I hesitate to excuse our forefathers on this score for the very Constitution recognized the right of everyone to freely practice his religion. This right therefore allowed the co-existence of various religious groups in Liberia, the practitioners of each living alongside the other without any history of religious conflict or religious war. Nonetheless, this recognition of one religious group over the others seemed discriminatory as evidenced by a subsequent opinion of the Supreme Court of Liberia found in Quelo v. Providence Concrete Works, 29 Liberian Law Reports (LLR):298 (1981) and Center for Law and Human Rights Education v. Monrovia City Corporation, 39 LLR:32 (1998).

Thus, while the 1847 Constitution proscribed discrimination between Christian sects but seemed to place Christianity over other religions, the Court decided otherwise. Could it be that the Court deliberately rejected the mandate of the Constitution or that it interpreted this provision in view of the Constitution's guarantee that everyone had the right to practice his religion without disturbance? The latter might be the court's reliance even though in this case. In short, it is inarguable that there existed in the 1847 a religious conflict insofar as the law provided.

In 1980, the Liberian Army seized state power and installed a military government. One of the major actions of that government was the immediate suspension of the 1847 Constitution. Subsequently in 1983, the government undertook the drafting of a new constitution which was completed by 1984, adopted by the people in a referendum and given effect on January 6, 1986. In addition to abrogating the 1847 Constitution (Article 95), in terms of religion, the 1986 Constitution expressly disallows the creation or even recognition of any state religion. Moreover, it guarantees protection by the law of individuals who practice their religion peaceably (Article 14). More emphatically, this article provides, "consistent with the principle of separation of religion and state, the Republic shall establish no state religion." On this score, Liberia may be described as a religious but non-denominational country, even though it is generally perceived as a secular country. Nonetheless, one feature certainly remains throughout the Country's history; that is, it was established and has always been a religiously democratic country by law where everyone is free to practice his or her religion according to his or her beliefs, once the practitioner did not disturb others in the practice of such religion.

#### **RELATIONS BETWEEN RELIGIOUS GROUPS IN LIBERIA**

Religion has had its place in Liberia's evolvement; today, there is greater tolerance for differences in religious beliefs and practices than have previously been the case. For example, prior to the Liberian civil war of 1989 to 2003, Islam was not as prominent in state matters as is now the case. National programs were commenced and concluded according to Christian rites; Christian prelates were the religious leaders in state institutions; all of the presidents, and even presidential candidates, were Christians or of Christian origin. Although there has not been any Islamic or other religious group occupying the Presidency, there have been several non Christian candidates over the last fifteen years. This development signals an elevation in the perception that members of various religious groups now have for each other. For example, state institutions such the Supreme Court of Liberia now have both Christian and Islamic prelates in their religious departments; Christian and Islamist prayers are deliberately included in national ceremonies or programs; members of both religions stand out amongst the leading elements of state authority. Additionally and most commendable is the fact that Liberia has developed a culture of religious collaboration and cooperation in resolving state crises. The Inter-Faith Council principally comprising Christian and Muslim is instructive of such collaboration, cooperation and religious tolerance.

In the process of resolving Liberia's civil war, the Inter-Faith Religious Council was a driving force. Christians and Muslims united under the banner of this organization to negotiate peace between the warring groups; they formed cogent part of the parties that crafted peace plans for the country and up to today, have remained instrumental in resolving all sorts of conflicts, including differences between political parties and the government and its opposition. The point I make here is that religious disparities are certainly a part of the existence of any nation but should not be barriers for peaceful coexistence.

While Christian and Muslim believers have continued to develop closer ties in Liberia's religious and socio-political circle, there still is the problem of recognizing the fact that there are traditional/customary religious beliefs; what some refer to as Idol Worship (Animism). In Liberia, a person engaged in traditional / customary religious practice is generally perceived as uncivilized; as barbaric; as one who is lost. Thus, Liberians idea of religion is the act of belonging to one of the two religious groups generally recognized in Liberia; that is, Christianity or Islam. Again, this is a hidden religious conflict that must be resolved to eliminate discriminating against people in these third and other categories of religious groups in Liberia.

Even amongst particular religious groups, there are hidden conflicts. In Liberia's Christian setting, there are numerous sects; the Holy Ghost movements consider themselves as the true Bible-believing Churches and other believers as not truly born again. For example, while a member of the Catholic faith may on the surface be allowed to lead "born-again" Christians in prayer, that catholic is truly not considered a Christian or a person who has accepted the Lord Jesus Christ as his or her savior. Consequently, in many instances, born-again Christians make advances, sometimes offensive, to members of what they describe as half-Christians, to join their sects and be saved. This too is a hidden religious conflict that has the potential to create unwarranted disharmony in the society.

#### CONCLUSION

This article presents a simple message to people who desire to know more about religious life in Liberia: Liberia was established not only on constitutional or legal principles but also on a firm religious basis; in furtherance of its religious life, political democracy coexist with religious democracy where when compared with each other, one will easily deduce that religious democracy in Liberia is not as conflicted as political democracy. This is evident by the fact that since Liberia was established in 1822 and since its evolvement as a Republic under the 1847 Constitution, there has never been any religious war; rather, wars have started in Liberia on political grounds even though multiparty democracy is guaranteed by the current constitution as was done by the previous (1847Constituion). Could Liberia be a role model for religious tolerance and religious democracy for the world? A further analysis of the question and the current situation in Liberia may provide an answer.

Permit me ladies and gentlemen, to thank Prof. W. Cole Durham, Jr. and all the organizers of this Symposium for giving Liberia this opportunity through the invitation extended me, to participate fully. It is my fervent hope and prayer that this activity will spread around the world and will help to engender peace, stability and the promotion of human rights and freedom.