

INSTITUTE OF CURRENT WORLD AFFAIRS

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Headlines

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Dear Peter,

The Bangura murder trial had the makings of a Perry Mason thriller. Sam Bangura, governor of the Bank of Sierra Leone, died in the wee hours three days before Christmas last year. Dressed in pajamas and a dressing gown, he was found lying on the ground beneath a verandah of his home near Freetown, his bleeding head against a concrete drain trough. A few yards from the body was an overturned chair.

Although there was talk of suicide or an accidental death, the presence of the chair and the position of the body almost directly beneath the verandah, which was enclosed by a four-foot-high railing, appeared to rule out those possibilities. When months passed without an arrest, accusations of a cover-up emerged in the outside press. Bangura was known for his straightforward criticisms of the national economy.

Five months after the killing, the police accused four persons—two watchmen and a security guard at the home and the dead man's 17-year-old niece. The result of the investigation was received with skepticism by many people in Freetown, for there seemed to be no reason for the accused to commit the crime. As the trial unfolded during the past four weeks, doubts about the prosecution's case grew stronger.

The prosecutor acknowledged from the start that his case depended upon circumstantial evidence. He had little more than one or two clues, often contested, to tie each of the accused to the murder.

The brother of the deceased claimed he saw blood on the shirt of the security guard shortly after the alarm was raised that led to the discovery of the body. As it was night and the witness only saw the guard through a window, it is difficult to put much weight on his testimony. However, the guard did go home and changed his shirt that night. He denies that it was to remove the evidence of murder.

When the alarm was sounded, the second defendant, a watchman, was discovered in a children's bedroom that had a connecting door with the victim's bedroom. He had no reason to be in the room and gave no explanation for his presence there.

The other watchman was entrusted with the front door key. The door had been locked when the household went to bed but was

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open when it was aroused. The watchman was among those who woke the house, blowing a whistle. The initial alarm was raised when someone cried "thief", but it is uncertain who this was. For his part, the watchman claimed he heard a thud from the back of the house just before the commotion started.

The prosecution's weakest case was against the niece. She had argued with her uncle and left the house where she was under his care, returning only the previous day. On the night of the murder, she made three apparent attempts to see her uncle alone, as if she had something on her mind, but each time her uncle had company. In the trial much was made of an incident in which the niece had been mildly reprimanded by her uncle for trying to obtain a soft drink from his refrigerator and had acted sullenly.

The only evidence for the charge that the four had conspired in the murder was testimony by some witnesses that the accused had been together that night and had seemed secretive, ceasing their conversation when an outsider walked into the room.

These clues pointed the finger of suspicion at the four defendants, but any murder-mystery buff would have looked in another direction. The setting was perfect for a surprise killer and there was an abundance of potential suspects. Bangura was in bed ailing from high blood pressure and malaria. His doctor, who attended him that night, is also mayor of Free-town. Other respectable friends who visited the banker in his bedroom that night found him in good spirits. In another house on the estate, his daughter was having a party for her friends. Bangura's wife had gone to a reception at a hotel in town, provoking a brief exchange with the country's foreign minister who criticized her for taking an official car and driver instead of using her private automobile. She arrived home to find the house in an uproar. It was several minutes before she was told by the doctor that her husband had been killed.

The prosecution never tried to explain several mysterious details that came to light during the trial. A coroner described finding drops of dried blood on the front steps of the house. The police pathologist said Bangura could have been killed by a fall from the verandah or he could have received a blow to the head by a hard or sharp object. Other investigators said the body was found too close to the wall of the house to have fallen from the verandah. One witness claimed to have seen one of the accused staring at a spot in the garden, where the witness afterwards found a silver sword hidden under dead leaves. When called upon by the court to produce the sword, the police submitted a rusty machet, which was not allowed in evidence. Furthermore, a gardener at the banker's residence who was to be a key witness for the prosecution (he was said to be the only person to have seen a defendant with the missing sword) disappeared before the trial. He is believed to have fled to neighboring Guinea.

There is no question the police badly mishandled the investigation. A reporter covering the trial told me one of the prosecuting attorneys admitted as much to him. The reporter also related an almost incredible story about the police officer who headed the investigation. He is said to have dropped the

keys to Bangura's bedroom door behind the dashboard of his car. Rather than have the dashboard removed to get the keys, the policeman ordered the removal of the locked door, which thereupon disappeared, preventing anyone from finding out if it showed signs of a forced entry. This story was repeated to me by another reporter at the trial.

From the evidence given in court, one infers the police had constructed the following scenario for the murder, though the prosecution never spelled it out in this way. Bangura was killed in his bedroom with the silver sword by the security guard or one of the watchmen. They lugged the body (Bangura weighed well over 200 pounds) downstairs and placed it under the verandah to make it appear that he fell. The guard got blood stains on his shirt in the process. The watchman hid the sword in the garden but was seen by the gardener. The other watchman went up to straighten the bedroom, removing any signs of a struggle. A shout went up before he could ~~make~~ his escape.

We are left with the mystery of the chair. It is possible the watchman straightening the bedroom threw the chair over the verandah rail to confuse the police investigators—this was suggested by the prosecution. The noise might have led to the premature discovery that something was amiss and the cries of "thief" that woke the household. In such a well-planned and -executed crime, though, it seems doubtful that one of the criminals would lose his head and do something that could so gum up the works. The reason for carrying the body out the front door and placing it under the verandah, rather than tossing it over the rail, is also unclear. And how did the niece get implicated? Are we to believe that these three men murdered their employer to satisfy a young girl's peevish feelings?

Perry Mason, with some small help from Paul Drake, would have solved the case despite the police bungling and had the real killer up on the stand the last day of the trial. Alas, real life was less exciting. To begin, the judge denied a defense motion that the prosecution had failed to establish a case. He then took statements from the accused who again said they hadn't committed the crime, but no witnesses were called in their defense.

The judge asked for the lawyers' closing statements, which caught the prosecutor by surprise. He asked for a postponement to prepare, but the judge wanted to give his summation that day. So the prosecutor briefly repeated the state's allegation that though the evidence was circumstantial, it was sufficient for conviction. The defense attorney rightly countered that the state had failed to establish a motive for the crime, nor had it explained the method in which the murder was committed.

The judge's summation took about four hours. Two reporters covering the trial felt he emphasized the lack of evidence and seemed to favor a verdict of not guilty. The reporters believed this would be the outcome, as apparently did most of the spectators in the packed courtroom. The jury retired for about twenty minutes and returned to say they were split, seven for conviction, five against. The judge told them to deliberate some more and try to come up with a unanimous verdict. About half an hour later they had done so—guilty. The judge sentenced the three men to hang. Because of her youth, the niece's

sentence was suspended to await a decision by President Siaka Stevens.

Pios Foray, the editor of the independent Tablet newspaper, sees political machinations behind the verdict. He predicts the three accused will be quietly hanged as soon as their 21-day appeal period has elapsed. Behind prison walls they may find it is too late to save their skins if they have been counting on the influence of some important person whom they have been protecting.

The court reporter for the government-owned Daily Mail has a less sinister explanation for the surprising conviction. He believes the jury was bored by the long trial, paid little attention to the testimony and agreed on the opinion held by the most stubborn among them. The reporter said jury members, who are mostly government workers chosen by their ministries, are notoriously irresponsible. He expects the defendants to be freed after appeal.

Either explanation reflects badly on criminal justice in this country. Add to this the inadequacy of the police detective methods and one can have little confidence in the legal system in Sierra Leone.

(Police inefficiency is not limited to murder investigations. A friend of mine had his motorcycle stolen and reported it to the police, but they got nowhere with the investigation. A week later, quite by accident, he discovered that the motorcycle had been found the night of the theft and taken to another police station a few miles from the one where he had reported the crime. When he informed the police of their oversight, they insisted the motorcycle be brought to the station where the report had been made so the investigation could be concluded in the proper fashion. My friend had gotten the bike home by this time and refused to cooperate, inviting the investigators to visit him if they wanted to see the bike.)

Trial by jury has been a source of pride and contention in Freetown almost from the start of the settlement. The law was considered an equalizer to the layers of privilege in the colony, and the lower classes made frequent use of it. The British repeatedly tried to modify or eliminate the jury system, at least in so far as it affected them, claiming they did not receive fair verdicts from juries composed of Creoles and liberated Africans. If such charges were perhaps sometimes justified, European jurors were not immune to racial prejudice. There is at least one instance of a white man getting away with the murder of a black in the colony because of the composition of the jury.

Moreover, the English rulers of the colony did not scruple at tinkering with the whole system of justice to achieve desired effects. In 1874 the British governor passed an ordinance allowing convictions by a two-thirds majority of a jury, following Scottish law. The governor's aim was to get more convictions against slave traders, who it was thought had the sympathy of a large portion of the free black populace of Freetown. Conviction by a two-thirds majority is still allowed in non-capital offenses (unless there has been a change in the law since 1964, which is the date of the latest statute book I could get hold of). Capital crimes require unanimous verdicts for conviction.

In civil cases, which often affected the fortunes of British merchants in the colony, the whites were unwilling to submit to the deliberations of black juries, even though property-holding qualifications for jurors made juries sympathetic to business interests. These property-owning requirements were also still in effect as of 1964.

In 1866 the British governor limited jury trials to criminal cases. By the end of the century the colonial administration had further eviscerated jury powers. This trend has continued almost to the present. In 1961, the year of Sierra Leone's independence, the legislature passed a law allowing non-jury trials for criminal offenses, excluding capital crimes, when the chief justice believes conditions prohibit a fair jury trial.

No system of justice can operate effectively in a society as unstable and corruptive as Sierra Leone's is at present, but I feel some changes are in order. The legal system continues to follow closely upon British law and procedure. Probably not enough has been done to incorporate native law and practice, though I haven't had an opportunity to look into this aspect. At least the country could do without the powdered wigs that judges and lawyers wear in court. The wigs look foolish enough on British barristers, on black men they are preposterous.

Rivaling the Bangura trial for space in the country's newspapers for the last month has been the decline in the standards of soccer here, both on the field and off. The displays of bad sportsmanship culminated last week with the banning of football matches until further notice. In his banning order, the minister in charge of sports said the violence surrounding the game is reaching "alarming dimensions which may be beyond the competence of the conventional law enforcers' capability to contain."

Police use of tear gas to disperse warring factions after games between Freetown clubs had become commonplace. The post-game violence reached its peak following the national club championship final last month. Fans of the losing team rampaged through town after the game attacking supporters of the winning team and destroying their property. Anyone wearing red, the victors' color, was liable to be assaulted. Unsuspecting pedestrians and taxi passengers, many of whom had not attended the game, perhaps had not even known it had taken place, were beaten up. Cars and houses were damaged.

The minister has tried repeatedly to get football clubs to restrain their fans, as well as to curb the violence on the field, through the imposition of fines and player suspensions. The on-field violence reached its worst level in September at a special game to mark President Stevens' seventy-fifth birthday. Despite the presence of Stevens and an entourage of ministers and VIPs, the players began fouling, fighting and feuding with the referee almost from the opening whistle. Stevens left before the first half was over. The sports minister halted the game five minutes into the second period when it appeared that all discipline had broken down. The two offending clubs had to

write open letters of apology to the president; players and club officials were slapped with fines and suspensions.

Football reflects the disorder in Sierra Leone society in other ways as well. The Sierra Leone Amateur Football Association has been accused of neglect and mismanagement of the football league. Its president, a member of Parliament, has just resigned from the association to escape the constant criticism of its performance. The British manager of Siaka Stevens Stadium is also under attack. Gate receipts are reported to have disappeared before teams get their share.

The stadium is a monument to the hopeless ideals and misguided planning of the country's leaders more glaring than the unused OAU village and conference center built for the organizations summit conference this summer. The stadium is a modern, concrete structure that seats about 40,000. The field contains a beautiful soccer pitch now spoiled by the heavy rains of Sierra Leone and a little-used all-weather track. Rising above the stadium are towers topped by banks of high-intensity lights, a particularly ironic symbol at this moment when Freetown is plagued by power blackouts because of the breakdown of old generating equipment. Next to the stadium is an Olympic-sized pool, complete with five- and ten-meter diving platforms and stands for several thousand spectators. I imagine the pool will be in a fine state of disrepair long before there is a chance of drawing that many Africans to a swimming meet.

Getting back to soccer, the number of wealthy and important men backing various clubs has led to rumors of bribes, payoffs and undue influence on the selection of players for the national team. The level of officiating is so deplorable that three Gambian referees had to be flown in for the championship final to avoid charges of incompetence and favoritism by the officials.

Soccer football is one colonial import that Africans have no intention of discarding. One occasionally sees cricket players in former British West African colonies and table tennis is popular, but by and large soccer is an all-consuming, year-round passion. From the time they can walk, Africans begin dribbling, passing and shooting anything spherical, even if it's a discarded orange. Individually they are superb players but, except in North Africa, national teams have not been up to world standards. A 1977 book on international soccer makes this assessment:

"True, African soccer does suffer from extremes of climate and pitches which are generally second rate. But extremes of temperament are an equally big problem. Nationalism is rife in African soccer, so much so that violence on the field often leads to violence among the crowd; extremely partisan security forces have been known to attack opposing players—and even the referee in international matches! Superstition too lingers on. In the early 1970s, of Kenya's 200 clubs, 183 were still employing a witch doctor!"

The authors quote an English team manager who predicted in 1962 that a World Cup winner would emerge from Africa before the turn of the century. With half the quadrennial competitions allowed for in that prediction now past and African teams still

outclassed by those of Europe and South America, I wonder if **the seer sticks** to it. I would bet that if Africa does produce a world champion this century, it won't be from Sierra Leone.

One other story making headlines these last few weeks is a strike by university lecturers. I mention it although it does not bear directly on my study of Western cultural influences because recent developments raised the possibility you would hear something about it in the press before this letter reached you, though now it appears the crisis has passed for the moment.

The trouble began before the start of the academic year in October when the government's failure to meet long-standing demands for better pay and working conditions led to an exodus of faculty members from Fourah Bay College. By the time classes began, remaining teachers found their classloads had reached staggering proportions. Limits were put on class sizes, denying some students access to required courses. At a staff meeting soon after the start of classes, the teachers decided to stop work until their demands were met. The faculty at Njala University, which with the college comprises the University of Sierra Leone, joined the walkout.

As students, always a restive group here as elsewhere in Africa, spent days and then weeks idling on campus, watching their school semester slip away, their anger mounted. At the end of October, in an irrational display of hostility toward authority, the students halted a visit to the campus by the mayor of Freetown and her counterpart from the English town of Hull, here for the twinning of their two municipalities. Their honors were forced to seek shelter in a nearby building, an armed security guard was attacked and the officials' cars were overturned and later burned.

On November 6 the Fourah Bay students organized a protest that, by every account I have heard except the official one, was meant to be peaceful. They intended to march to State House, the presidential office building, to present a petition that the government take steps to end the strike. The government later depicted this protest as opposition to the strike, but a student organization has said the students support their teachers' demands.

In the event, police shot tear gas into the column of students before they got close to their destination. After some confusion student leaders convinced the police of their orderly purpose and the march continued. When they neared State House, the students were again attacked by red-bereted men of the State Security Division, a paramilitary wing of the police force. More tear gas cannisters exploded, armed policemen clubbed and pummeled fleeing students. Seventeen of the protesters were arrested.

Police continued to harass youngsters on the streets of Freetown for the rest of that and the following day. I saw an SSD man carrying a submachine gun corner a student walking through a park in the center of the city and, for no apparent reason, jerk him off his feet and slap him across the head before letting him go. The detained students are alleged to have been tortured in prison.

The lecturers called off their strike hoping to ease tensions but students remained out of class to protest the detention of their comrades. Students at teacher colleges walked out of their classes in support of the university students. Spray-painted graffiti on buildings and pavements at Fourah Bay called for the students' release and denounced the government's heavy-handed tactics.

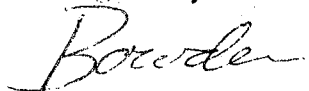
President Stevens was out of the country being knighted by the Queen of England at the time of the protest. Most people hoped he would be able to cool down tempers upon his return, but for a day there was no word from him as the situation worsened. Students at two secondary schools in Freetown clashed with police. Vanloads of thugs organized by the local chapter of the All Peoples Congress, the country's only legal political party, arrived at both disturbances brandishing rattan whips with which they beat students. Reportedly, many students, most of them girls, were severely injured.

In the afternoon twelve of the arrested marchers, including a lecturer, were indicted on charges of possession of offensive weapons and throwing missiles. They were released on bail after being scheduled for trial in a week. Supporters of the students said arms were planted in a vehicle accompanying the marchers, and I heard this rumor immediately after the march was broken up rather than only after the government charge was made. Even if one chooses to believe that the students planned to make trouble, it is certain they were unprovokedly attacked by the police. The college vice-chancellor was among the marchers. The government says he took part "under duress" from the students. He denies that. He also bears welts and bruises from being beaten by the police.

The afternoon the students were charged, November 11, the city was tense. Some stores did business with protective grilles over their windows and workers at the doors, ready to lock up at the first sign of trouble. People considered it inevitable that the students would violently protest the arraignment.

That evening Stevens announced the court proceedings had been halted and the students released. He said nothing about the way the police had acted. So for now Freetown is back to where it was a month ago, except the students are a month behind in their studies, and the weekend football games have been canceled.

Regards,



Bowden Quinn