



REPORT

NHRC FACT-FINDING ON THE CASTE SYSTEM IN THE UPPER RIVER REGION

27 – 30 OCTOBER 2019

1.0 INTRODUCTION:

The National Human Rights Commission (NHRC), on 18th June 2019, issued a press release following reports of serious and discriminatory practices being meted out by some members of the Serahule tribe in Kantora District Upper River Region who regarded themselves as nobles on other members of the same tribe they regard as “slaves”. The Commission did not only condemn this practice but also made it categorically clear that it was illegal under the laws of The Gambia and all the international human rights instruments that The Gambia has ratified for a person to discriminate against another based on tribe, ethnicity, race, gender, religion and/or social status.

Sequel to the aforesaid press release, the Commission, on 26th September 2019, met to discuss the violence and conflicts that erupted in these communities as a result of the deeply rooted caste system and to find ways to diffuse the tension. At the end of this meeting, the Commission resolved to constitute a delegation to visit the affected communities.

On the 27th October 2019, a three person delegation, comprising Commissioner Imam Baba Leigh (head of delegation), Mr. Modou Sowe (NHRC Investigator) and Mr. Modibo Taal, a member of the Sarahule community, undertook a two-day fact finding mission to Daibugu, Koina and Garawol villages in the Upper River Region.

Purpose of the Fact-finding Mission

The purpose of this visit was to find out the nature and underlying causes which precipitated the caste-based violence in the communities of Diabugu, Koina and Garawol.

The fact finding mission held discussions with religious and community leaders, members of the two castes involved, some Police officers in Diabugu and Fatoto Police Stations, and women and youth to better understand the situation and solicit their views on durable solutions to the caste-based problems in their communities.

2.0 BRIEF FACTS

Through fact-finding it was revealed that a group of individuals referred to as “slaves” from Diabugu, Koina and Garawol formed an association called ‘Gambana’¹. It should be noted,

¹ ‘Gambana’ is a Sarahuleh term which means ‘We are all equal’

however, that there are other people in these communities who accept to be referred to as ‘slaves’ and are not members of ‘Gambana’.

It is a long-standing tradition in these communities for those referred to as ‘slaves’ to perform certain menial jobs or tasks requiring manual labour for those regarded as their ‘masters’ or ‘nobles’. Whenever ‘nobles’ held traditional ceremonies, those referred to as ‘slaves’ were invited to carry out tasks, such as slaughtering of cattle and other animals, in exchange for cash or some other rewards. When a village activity or meeting was to take place, ‘slaves’ were asked to travel around the village, blowing a horn to inform and urge community members to attend.

These practices continued unchallenged until 2016/2017, when the leaders of ‘Gambana’ sent a letter to the Alkalo of Garawol at the time, one Alhagie Banta Ceesay, in which they expressed dissatisfaction at being commonly referred to as ‘‘slaves’’, and vowing not to accept being called or referred to by such a derogatory name and treated in condescending manner or partake in blowing of the horn to call meetings and activities.

On 14th November 2018, one Yaya Dambelly, a member of ‘**Gambana**’ from Garawol, lost his father, one Janja Dambelly. The deceased was taken to the village mosque for the usual rituals before burial. As it is customary in the Muslim community, an occasion was then held to give elders and those closest to the deceased an opportunity to make remarks and speeches to extol the virtues of the deceased. During this occasion, a member of the ‘nobles’ took the floor and in his speech, he referred to the deceased as his ‘good slave’. This reference to his father as a ‘good slave’ angered Yaya Dambelly, igniting a heated argument and physical altercation between him and the ‘nobles’. It was alleged that Yaya was physically assaulted by the following ‘nobles’, namely Musa Ceesay, Muhamadou Salimatou Ceesay and Haji Sillah. The matter was reported to Fatoto Police Station and the assailants arrested and charged with assault.

Later that evening, one Haji Yamu (now deceased) a ‘noble’, was on his way to a shop or store in the village to buy milk when he met Bilal Conteh, a member of the ‘‘Gambana’’, on the road. The two did not give way to each other but rather knocked shoulders. A fight ensued between them and in the process Bilal Conteh was alleged to have stabbed Haji Yamu to death with a knife. The said Bilal Conteh is standing trial for the alleged murder of Haji Yamu.

Furthermore, on 4th April 2019, one Musa Ceesay, a member of “**Gambana**” from Koina, was riding his motorcycle when he was stopped on the way and assaulted by one Mansa Kebbeh and other unidentified persons from the “noble” caste. It is alleged that the said Musa was hit with a stick from which he sustained injury on his back and his motorcycle was damaged as well. Mansa Kebbeh and others were later arrested by police officers from Fatoto; however, the matter was eventually resolved when they agreed to repair the motorcycle.

On 23rd May 2019 one Muhammed Krubally of Koina was captured or ‘arrested’ by a group of ‘nobles’ namely Ousman Gumaneh, Bambo Sissoho and Abdou Gumaneh and other unidentified persons who tied his hands in front with a rope and took him to the residence of Essa Gumaneh, also a “noble”. Muhammed’s crime, it was alleged, was for merely wearing a cap bearing the inscription “Gambana”. The matter was reported to Fatoto Police Station. Ousman Gumaneh and Abdou Gumaneh were arrested and charged with criminal offences, while Bambo Sissoho was on the run at the time of our visit. The case was later transferred to Basse Police Station. Ousman Gumaneh and Abdou Gumaneh were arraigned before the Basse Magistrate Court and subsequently remanded at Janjanbureh Prison for about 210 days before they were released on bail.

3.0 INVESTIGATION

As part of the investigation, the aforementioned team visited Diabugu, Koina, and Garawol communities, as well as Fatoto Police Station, in order to gain a better understanding of the nature and underlying causes of the caste conflict in the area. During this visit, the team interviewed the Alkalos of all the aforementioned three communities, the Imams, the Village Development Committees Chairmen, youth, leaders of “Gambana” and officers from Fatoto and Diabugu Police Stations. Below are summaries of the interviews the team had with key people they interacted with:

Interview with Alagie Kusah Drammeh (Alkalo, Diabugu Batapa):

The Alkalo of Daibugu Batapa, Mr. Alagie Kusah Drammeh, disclosed that the conflict between the ‘nobles’ and ‘slaves’ started in 2019 when the members of “**Gambana**” made known their position that they will no longer blow any horn for the purpose of announcing village activity or meeting as it used to be the norm. He therefore advised the members of the community to stop

assigning members of ‘Gambana’ to undertake such responsibility as he wanted to maintained peace in the community.

Interview with Alhagie Mohammadou Ceesay (Representative of the Imam of Diabugu):

Mr. Mohammadou Ceesay represented the Imam of Diabugu during our meeting. In responding to questions regarding the Imam-ship of the village, he stated that to be qualified as an Imam, one must be knowledgeable in the Holy Quran and come from the Ceesay Kunda “Kabilo” or clan who are ‘nobles’. He further disclosed that succession to the Imam-ship excludes those regarded as ‘slaves’ in the village. On the issue of inter-marriage, Mr. Ceesay emphasized that tradition demands that ‘nobles’ only marry ‘nobles’ while the ‘slaves’ marry among themselves. He reiterated that this has been the norm or traditional practice in the village since the time of their forebears.

Interview with Alhagie SaikouTijan Drammeh (Chairman, Village Development Committee of Diabugu):

Mr. Drammeh stated that in the previous years, the composition of the Village Development Committee (VDC) used to consist of both the “nobles” and “slaves”. However, he added that since the members of “**Gambana**” have departed from the norms and traditions of the village by rejecting being referred to as “slaves” and stopped blowing the horn, each time there is a village activity or meeting, they too decided to deny them membership to the VDC and had since then stopped involving them in village activities.

Interview with Gaideh Jallow (President of ‘Gambana’ in Diabugu and Vice-President of ‘Gambana’ URR Branch):

Mr. Jallow narrated that sometime last year his stepfather, Sorry Jallow, was summoned by the Alkalo of the village. When the two of them arrived at the Alkalo’s compound, his stepfather was commanded to blow the horn, but he refused to do so. As a result, his stepfather was then ordered to pay a fine of D2000 (two thousand dalasi) for his refusal to obey the Alkalo’s instruction and which he, Gaideh Jallow, paid on behalf of his stepfather. That he advised the members of the community to get a Public Address System so that whenever there is a village activity or meeting,

it would be used to convey the message to people in the village. He strongly emphasized that members of “Gambana” would no longer blow the horn.

Interview with Alhagie Surahatah Gumaneh (Alkalo of Koina):

Alkalo Gumaneh narrated that in June 2018, the members of Gambana came to him and told him that they would not accept to be referred to as “slaves” or have their section of the village labelled as “**Jong kunda**”². That he, however, told the visiting group that the practice they want to oppose or kick against is long standing and entrenched. That his own compound is located in the area referred to as “Jong kunda” and he cannot change the name of the area.

Interview with Alfusainey Gumaneh (Imam of Koina):

Imam Gumaneh stated that no one should refer to another as a ‘slave’. He, however, insisted that they cannot stop people from calling their neighborhood as “Jong kunda” because that name has been existing since time immemorial.

Interview with Alhagie Saikou Sumurah (Chairman, Village Development Committee of Koina):

Mr. Sumurah told the team of investigators that the Village Development Committee, unlike that of Diabugu, comprises both the “nobles” and “slaves”, and thus there is no discrimination to the membership of the VDC based on one’s caste.

Interview with Sulayman Camara (Leader of Gambana, Koina):

Mr. Camara is the leader of the Gambana in Koina. He stated, among other things, that they would no longer allow anyone in the village to refer to them as ‘slaves’ or blow the horn to call for a village activity or meeting.

Interview with Alhagie Tachineh Ceesay (Alkalo, Garawol):

Alkalo Ceesay stated that in his village no one is referred to as a ‘slave’. However, he indicated that the village is composed of different clans which are according to castes. He revealed that whenever there is something to be given to the village, they would divide it amongst the 7 (seven)

² ‘Jong Kunda’ is a Mandinka term which means ‘Slave settlement’ or ‘settlement of slaves’

“Kabilos” (clans) in the village, which include that of the ‘nobles’, the ‘slaves’ and the “numos” (blacksmiths).

Interview with Alhagie Abdoulie Conteh (Imam, Garawol):

Imam Conteh stated that there is nobody in the Village who has ever been referred to as a ‘slave’ and that no one has ever worked for another on the basis of being a ‘slave’. However, he confessed that the name ‘slave’ existed in the village. He further narrated that the tradition in the village is that each time there is an occasion in the village, such as a naming ceremony or something to be shared, each caste would receive their share accordingly.

Interview with Ebrima Ceesay (Treasurer, Village Development Committee of Garawol)

Mr. Ceesay narrated that on 31 August 2016, the members of Gambana sent a letter to the then late Alkalo (Alhagie Banta Ceesay) in which they indicated that they would not want to be referred to as ‘slaves’. That copies of the said letter were sent to concerned authorities such as the Governor of Upper River Region (URR), Fatoto Police Station, the Chief, Minister of Justice, Minister of Local Government and Land, the Inspector General of Police and Basse Area Council.

Interview with Ba-Janko Danso (a non-member of Gambana who accepted to be referred to as a ‘slave’):

Mr. Danso stated that he was once asked to report to the compound of the late Alkalo (Alhagie Banta Ceesay). That when he arrived, the Alkalo asked him whether he knew about the letter sent by the leadership of the “Gambana” and he responded in the negative. He remarked that he cannot reject being referred to as ‘slave’ because his forebears had accepted the name and had performed domestic work for their ‘masters’. He concluded that the only people that rejected being referred to as ‘slaves’ are the members of ‘Gambana’ which he is not part of.

Interview with Sebirry Trawally (Head of Gambana, Garawol):

Mr. Trawally acknowledged that their forebears accepted to be referred to as ‘slaves’. However, he argued that in this age and time, it is unacceptable to refer to other fellow human beings as ‘slaves’.

Interview with Mohammadou Krubally (Senior Member, Gambana):

Mr. Krubally stated that historically and during the time of their forebears there was no caste system. That in the past, each time there was meeting or activity both parties used to come together and work for the betterment of the community. He, however, stated that the sole cause of the dispute between the ‘nobles’ and members of “Gambana” is being referred to as ‘slaves’ by the former. Despite his insistence that the caste system was absent in the time of his forebears, Mr. Krubally could not tell the investigating team how and when it came about.

Momodou Manjang (Station Officer, Fatoto Police Station):

Officer Manjang confirmed to the team that the above-mentioned incidents were reported to the Farato Police Station. That the suspects were arrested, cautioned and charged with the offence(s) committed. He recommended for the National Human Rights Commission to organize a sensitization seminar for the affected communities so as to enlighten them on human rights related themes. He finally assured the team of their continuous effort in maintaining peace in the communities.

Interview with Alhagie Kolley Dumbuya (an ex-member of Gambana):

Mr. Dumbuya recalled that sometime in 2019, while at home, some members of “Gambana” visited him and, in the course of their discussion, he was told that they wanted to elect him as the leader of “Gambana”. That he declined the offer because he did not want to get in trouble with the ‘nobles’. He revealed that he is a herbalist and therefore not expected to be a trouble maker. He told the team that the only solution to the long-standing incident is for both parties to come together and settle their differences amicably.

Interview with Haji Bachilly (a noble and witness in the alleged murder of Haji Yamu):

Mr. Bachilly narrated that on 14th November 2018, he was at home taking a bath when he heard a noise coming from the street. He later went out to find out what was happening and met Haji Yamu (deceased) from who he enquired what the noise was all about. That Haji told him that he was stabbed by one Bilal Conteh. He immediately put the deceased on a motor bicycle, and, accompanied by one Ebrima Ceesay, rushed Haji Yamu to Fatoto Health Centre but he succumbed to his injuries before they reached the said health centre.

Interview with Saibou Ceesay (a witness in the alleged murder of Haji Yamu):

Mr. Ceesay stated that in the evening of 14 November 2016, Haji Yamu (deceased) asked him to accompany him to the shop to buy milk. That while on their way, the deceased and Bilal Conteh came face-to-face on the road and knocked shoulders. Immediately, there was an altercation between the two of them which resulted in fight during which Bilal Conteh stabbed Haji Yamu with a knife.

4.0 FINDINGS:

Having gathered various facts surrounding the caste system issue in the villages of Daibugu, Koina and Garawol, interviewed relevant witnesses and analyzed their witness statements, the following findings have been arrived at:

1. There is a separate group of Sarahules in the above-named communities who accept to be called “slaves” and are not members of “Gambana”;
2. The grandparents of ‘Gambanas’ previously accepted to be referred to as ‘slaves’;
3. The VDCs in Garawol and Koina comprise a mix of nobles and ‘Gambana’, whereas the VDC in Diabugu composes of only ‘nobles’;
4. To be an Imam in the communities of Diabugu, Koina and Garawol, one must be from the “Kabilo” (clan) who assume the Imam-ship and well knowledgeable in The Holy Quran. Members of “Gambana” and those who accepted to be referred to as “slaves” but are not members of “Gambana” cannot become an Imam in any of the aforementioned villages;
5. To be an Alkalo (village head) in Diabugu, Koina, and Garawol communities, one must be a member of the “Kabilo” from which the Alkalo comes and well acquainted with the norms and traditions of the Village. Members of “Gambana” and those who accept to be referred to as ‘slaves’ but are not members of “Gambana” cannot become an Alkali in any of the aforementioned villages;

6. On 31 August 2016, the leadership of “Gambana” sent a letter to the late Alkalo of Garawol (Alhagie Banta Ceesay) in which they stated their rejection and non-acceptance of being referred to or called ‘slaves’;
7. On 14th November 2018, Yaya Dambelly, a member of ‘Gambana, was assaulted by three men from the ‘noble’ clan in Garawol for protesting against his deceased father being referred to as a ‘good slave’ at the funeral.
8. In the evening of 23rd November 2018, Haji Yamu (a ‘noble’) fought with one Bilal Conteh, a member of “Gambana”, which led to the alleged death of Bilal by stabbing.
9. On 4 April 2019, Musa Ceesay, a member of “Gambana” from Koina, was riding his motorcycle when he was stopped and assaulted by one Mansa Kebbeh and another unidentified persons, all from the caste of the ‘nobles’. He was beaten with a stick on his back from which he sustained injury and his motorcycle damaged.
10. On 23rd May 2019, Muhammadou Krubally of Koina was captured or arrested by a group of nobles, namely Ousman Gumaneh, Bambo Sissoho and Abdou Gumaneh and other unidentified persons who tied his hands in front with a rope and took him to the residence of Essa Gumaneh, also a ‘noble’, for merely wearing a cap bearing the inscription “Gambana”;
11. It appears that out of the three communities, Koina and Garawol are the most affected by the caste conflict;
12. Both the ‘nobles’ and Members of the “Gambana” have equal access to farmlands;
13. Both the ‘nobles’ and the members of “Gambana” enjoy equal access to the health facility. This was disclosed by the nobles and members of the ‘Gambana’;

14. Both the ‘nobles’ and the member of the “Gambana” have access to mosques in the villages;
15. Both the ‘nobles’ and members of the “Gambana” have access to the cemeteries of the villages;
16. The ‘nobles’ and members of Gambana, since the start of the animosity between them, do not go to each other’s marriage and funeral ceremonies, including their spouses. This was revealed after a detailed interview with Gaideh Jallow (the Vice-President of Gambana, URR) and Mumammed S. Drammeh (a member of the ‘nobles’);
17. Due to the increase tension within the said communities, the two groups are not socializing, and this has created a negative perception in the minds of the children of the ‘nobles’ and the members of the “**Gambana**”. Both sides are of the view that the lack of interaction and socialization between them is to give peace a chance;
18. There has never been inter-marriage between the two groups. This was revealed after a detail interview with the nobles and the members of “Gambana”
19. It is reasonably believed that the members of the “Gambana” are the minority considering their number in the aforementioned communities.
20. The perspective of some of the community leaders (i.e. Alkalos and members of the VDC) is that the forebears of members of “Gambana” accepted to be named ““slaves”” and used to blow the horn to announce a village activity or meeting and therefore, are of the opinion that members of “Gambana” should continue to practice the tradition of their forebears by accepting their social status as “slaves”.
21. The perspective of religious leaders (Imams) appeared to be different from that of the Alkalos and some members of the VDC. It is, therefore, reasonable believe that the

religious leaders seemed to favour a peaceful co-existence, equality and mutual respect in their communities; and

22. Following a thorough investigation, it is evident that these incidents were caused partly by the ‘nobles’ referring to certain members of the community as “‘slaves” and requiring them to blow the horn to call village meetings or activities.

5.0 RECOMMENDATIONS

After a thorough analysis of the above findings, the team made the following recommendations which the government should embark upon with the support of stakeholders:

1. Raise awareness on human rights and the laws which prohibit discrimination and discriminatory practices in the communities of Diabugu, Koina and Garawol, using the mass media.
2. Initiate reconciliation meetings in the communities and between the two castes, ‘nobles’ and “‘slaves” to prevent further escalation of violence or recurrence.
3. Encourage the VDC in Diagubu to open membership without any discrimination based on caste. This can be done in partnership with the Local Government Authority which has the obligation to establish these structures and ensure diverse representation in their composition.
4. Encourage the schools to include in their extra-curricular activities events that will foster unity in their communities such as sporting activities, screening of videos on human rights and related matters, exchanges visits with other schools outside their localities, debates, lectures from human rights institutions and civil society organizations to talk about human rights matters highlighting especially issues surrounding discrimination and gender justice;

5. Train law enforcement agencies on human rights focusing on the prohibition of discrimination and discriminatory practices and on how to monitor and investigate violations of human rights; and
6. The NHRC continue to monitor the situation in the affected communities and update the relevant stakeholders including the National Assembly Standing Committee on Human Rights periodically.