



# Race, Ethnicity and Belonging

Beyond Trafficking and Slavery Short Course | Volume 6



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*Edited by Joel Quirk and Julia O'Connell Davidson*

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Volume Six

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## Race, slavery, and the mythology of ‘colour-blindness’

*Slavery and racism have long gone hand in hand, yet ‘modern day abolitionists’—and sometimes also their critics—have remarkably little to say about the ways in which racism and other forms of discrimination shape enduring patterns of marginalisation, exploitation, and privilege.*

Julia O’Connell Davidson and Joel Quirk

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The status of ‘slave’ has been inescapably linked to questions of race and racism since at least the late fifteenth century. The trans-Atlantic slave trade set in motion a process through which slave, and the stigma attaching therein, were bound to Africa and Africans in European imaginations. European pretensions to moral ‘superiority’ were in turn codified and justified through a pseudoscience of race that emerged and flourished from the eighteenth century onwards. This ‘scientific racism’ asserted the existence of distinct and hierarchically ordered ‘types’ of human being, then racialised people from Africa as ‘black’ and encoded blackness with the dirt, dishonour, and dependency attributed to slaves. The history of trans-Atlantic slavery is thus powerfully entwined with: 1) the emergence of the idea that race creates impermeable borders between flesh and blood human beings in terms of their capacities, moral worth, and rights; and 2) a very specific form of anti-black racism.

Historical campaigns against trans-Atlantic slavery did not substantially undermine or alter this racist foundation. Key white figures in the original European anti-slavery movement condemned the slave trade and slavery as institutions, yet did not regard those they sought to emancipate as their peers or equals. Just as current campaigners against child prostitution revile the practice without believing children should be accorded the same civil and political rights as adults, anti-slavery pioneers such as William Wilberforce helped end the slave



Millions March NYC. B.C. Lorio/Flickr. Creative Commons.

trade without considering people racialised as black as in any way equivalent to white Europeans.

Today's anti-slavery campaigners would all almost certainly disagree with Wilberforce on this point, although they often still see fit to celebrate his legacy and example. They also accept—[although often without much engagement](#)—that racism was the defining factor of historical slavery. That said, most stridently argue that circumstances have now changed. The 'new abolitionists' instead tell us that slavery today [“affects people of all ages, gender, and races”](#), and that “modern slavers”, in the [words of Kevin Bales](#), “are colour-blind”. The common denominator is said to be “poverty, not colour”. According to this perspective, ‘modern slavery’ can be best understood as a ‘colour-blind’ crime of opportunity.

However, such assertions sit oddly alongside other popular claims about ‘modern slavery’. According to Walk Free’s ‘Global Slavery

Index', for example, the overwhelming majority of today's 'slaves' are found in the places once colonised by Europe and America, which is to say places where the majority of the population are not racialised as white. This is reflected in modern anti-slavery campaigning materials, where visual representations of 'modern slaves' almost exclusively feature individuals racialised as black or brown, and their helpers, benefactors, and protectors largely represented as white.

Race is thus simultaneously highly visible and invisible in the new abolitionism. This volume interrogates its absent presence in 'modern slavery' talk and the profound ignorance of the history of slavery and racism that it betrays.

### Double distortions of history

Two separate yet related distortions of the history of trans-Atlantic slavery are promulgated in talk of 'modern slavery'. On the one hand, we have the use of trans-Atlantic slavery as the historical comparator for contemporary forms of injustice, exclusion, abuse, and violence that in fact bear little or no resemblance to trans-Atlantic slavery. While these cases are frequently connected to racism, they do not necessarily arise directly from anti-blackness. For example, south Asian and Filipino migrant domestic workers who end up in appalling conditions, unpaid, raped, or beaten by their employers are described as 'modern slaves'. But in sharp contrast to trans-Atlantic slaves, they actively sought work abroad, and it is frequently fear of the implications for their immigration status that prevents them from quitting or escaping. Here, the metaphor of slavery deflects attention away from the economic and legal structures rendering certain groups generally vulnerable to abuse, and focuses it instead on the moral failings of 'bad apple' employers who take advantage of individual and isolated vulnerabilities.

On the other hand, representations of 'modern slavery' routinely deny, conceal, or overlook contemporary forms of injustice, exclusion, and

violence that do connect directly back to trans-Atlantic slavery. As Saidiya Hartman observes in her remarkable 2007 book *Lose Your Mother*:

I, too, live in the time of slavery, by which I mean I am living in the future created by it. It is the ongoing crisis of citizenship. Questions first posed in 1773 about the disparity between 'the sublime ideal of freedom' and the 'facts of blackness' are uncannily relevant today.

Trans-Atlantic slavery's 'afterlife' refers to the present reality in which black lives continue to be *devalued and imperilled*, and whiteness continues to be valued and privileged. Despite abundant evidence that this is the case, the restraints on freedom that are engendered by anti-blackness are uncannily absent from new abolitionist talk of 'modern slavery'. The millions of black victims of America's prison-industrial complex, for example, are not present in the roll call of 'modern slaves' that organisations like Walk Free and Free the Slaves wish to emancipate.

One approach to this double distortion of history could come from a division of political labour. Some activists would develop a critique of 'modern slavery' talk. This would focus on the structures that allow those forms of abuse commonly yet falsely equated with trans-Atlantic slavery to continue. Meanwhile, others would develop a critique of the fiction that we live in a 'post-racial' world. The former could give a nod to the continuing facts of racism and white supremacy, while the latter could note the precarity of many groups of workers and migrants in an increasingly neo-liberal world order. This would leave each set of activists free to pursue the distinct projects that they hope will cumulatively add up to a full political transformation. But as articles featured in this volume make clear, this kind of 'fellow traveller' approach is almost as politically and analytically unsatisfactory as that adopted by the 'new abolitionists'.



### Structure of the book

Our opening chapters by Charles W. Mills, Tryon Woods, and Jared Sexton all address the fact that trans-Atlantic slavery was fundamental to the creation of white supremacy as a system of domination. White supremacy—and also patriarchy, as Mills is at pains to note—is thus foundational to the ‘cartography of our ethico-political maps’ of the modern world. The terms of political debate about the modern economic system, as well as the concepts used to legitimate and to contest it—‘slavery’, ‘freedom’, ‘citizenship’, ‘worker’, ‘migrant’, ‘equality’, and ‘rights’—are all racially loaded. Even the conception of ‘justice’ on which the contemporary anti-slavery movement trades, Woods goes on to argue, emerged co-terminously with, and was able to accommodate the injustice of, racial slavery. The point is further elaborated by Sexton, who concludes that racial slavery “persists as a problem compounded by every effort to eliminate it while preserving the fabric of the very modern world it brought into being, not only its prevailing economic system”. Trans-Atlantic slavery was modern slavery. It was also racial slavery, and it is not over and done with, as these essays reveal. And as Sexton observes, critics of ‘the new abolitionism’ can be as blind to this as the new abolitionists themselves.

### Racial slavery and its afterlives

This section focuses on the afterlives of racial slavery. It opens with Ana Lucia Araujo’s reflections on the future created by racial slavery in Brazil, a context very different from the United States in the sense that its post-emancipation history does not include formal, legal, racial segregation. And yet, here too, ‘the facts of blackness’ remain bleak and whiteness continues to be valorised. This is followed by Dylan Rodríguez, who explores the contemporary American prison as animated by the social and cultural logic of racial chattel slavery, rather than its economic logic. In doing so he demonstrates how attention to trans-Atlantic slavery’s afterlife destabilises critiques that take neoliberalism as the analytical master category. Tania Golash-Boza then critiques deportation laws in the US. Though framed as ‘colour-blind’, in

practice these laws produce radically and racially disparate outcomes once again in line with the social and cultural logic of racial slavery.

Cecily Jones returns to the theme of whiteness, complicating and extending understandings by linking it to gender in her examination of the relationship between slavery and race in the British Caribbean historically and today. A further contribution by P. Khalil Saucier and Tryon Woods then revisits anti-blackness through a focus on political responses to the continuing deaths in the Mediterranean. Like Sexton, they invite us to consider whether critics of the new abolitionism are also averse to centring anti-blackness in their analyses. The section concludes with a contribution from E. Ann McDougall on the afterlife of slavery in a very different context, Mauritania. Here, the politics of race, including arguments about its connection to slavery, do not play out exactly as they do in Europe and the Americas.

#### [Ethnicity, belonging and 'modern slavery'](#)

The third section of the book turns to other links connecting race and restraints on freedom that are selectively described by the new abolitionists as 'modern slavery'. Here, articles reveal the complex and often contradictory relationships between the economic and the political, and question the policy prescriptions of organisations like Walk Free. Jillian Marsh begins by discussing the unequal and excluded position of indigenous Australians, as well as the recommendations made to the Australian government by Andrew Forrest, the founder of Walk Free, to solve the problem of "the disparity between first Australians and other Australians". Marsh shows that indigenous Australians have been, and continue to be, profoundly negatively affected by continuing processes of dispossession set in motion by colonisation. The original sins of colonialism do not figure in the solutions proposed by Forrest, whose vision of progress and equality is one in which indigenous Australians will be more fully incorporated into the neoliberal labour markets as workers. This, Marsh argues, is revealing about the nature of the 'freedom' he wishes to bestow upon 'modern slaves' around the world.

Arthur Scarritt then traces connections between contemporary restraints on freedom and processes of colonialism, racism, and dispossession in Peru. Similar types of constraints are also made evident by Alf Nilsen's contribution on the Adivasis in India. Nilsen offers a corrective to new abolitionist representations of 'modern slavery' in India as an enduring problem of its distinctive 'culture', showing how the vulnerability of the Adivasis in India to experiences described as 'trafficking', 'bonded labour', 'forced labour', and 'modern slavery' actually result from recent neoliberal economic reforms and the loss of land and livelihood. Jaysleen Raj's piece on India's tea industry likewise draws attention to the crises wrought by these reforms. In the case of tea plantation workers, economic crisis has forced workers to leave the plantations, where caste discrimination played a relatively minor role in their lives, and re-enter areas of the informal economy where the caste hierarchy is much more oppressive.

Next comes Teodora Todorova's analysis of the 'warehousing' of Palestinians by the Israeli state as a tactic of racialised governance first developed in the US to manage the 'problem' of blackness. She shows that such methods of repression can be adopted and adapted by states with very different histories to control and restrict the populations they deem to be both incapable and undeserving of exercising freedom. The fact that there are histories and living legacies of slavery that are bound up with race and racism, yet not with anti-blackness, is further illustrated in Will Guy's chapter on the Roma in Europe. In Romania, Roma slavery endured for over 300 years until the mid-nineteenth century, and Roma people continue to be stigmatised, marginalised, and persecuted, not just in Romania but across Europe. This continuing history of racism is rarely acknowledged, and is routinely reproduced in political and media talk of the 'problem' of Roma migration in Europe, where Roma figure prominently as both victims and perpetrators of 'trafficking'.

### Legacies and memories of slavery

Our final section approaches legacies and memories of slavery from a different angle. Robbie Shilliam's chapter looks at the RasTafari Movement UK's rejection of the distinction 'white abolitionism' makes between trans-Atlantic and 'modern slavery', a distinction that gives absolution to formally slave-trading European publics where there should be none. RasTafari demand reparations because justice has not yet been served, Shilliam explains. And the problem is not solved simply by making 'old' rather than 'new' slavery the focus of public attention, as Nicki Frith and Kate Hodgson's contribution on recent attempts within the French Republic to engage with its history of slavery and slave trading illustrates. Here, memorialisations of slavery have, they argue, primarily worked to 'domesticate' the past and create a nation-centred narrative of belonging that continues to sidestep the very real socio-economic problems faced by peoples of African descent. We conclude with an article from Gurminder Bhambra and John Holmwood, who challenge the policy recommendations of individuals blind to the connections between slavery, past colonialism, and the present that we currently inhabit. Only reparations, they argue, will enable a social democratic solution to the problems continuing from the legacies of colonialism, enslavement, and dispossession.

Multiple systems of domination are at play in shaping the social and global order, and we are not fool enough to imagine that the analytical and political problems which arise as a consequence can be resolved by a handful of short commentaries. We do, however, hope that the contributions we feature will stimulate acknowledgment of, and debate about, the necessarily and unavoidably racial character of not just talk about 'modern slavery', but also of talk about the need to move Beyond Trafficking and Slavery.





## **Section one**

'Modern slavery' and the politics  
of race

## The political economy of personhood

*Most humans have not been, and still are not, recognised as persons: gender and race remain prerequisites for recognition as an individual.*

Charles W. Mills

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To speak in the same breath of personhood and political economy sounds odd because of the seemingly obvious radical difference between the two worlds of their application. On the one hand, a straightforward moral term from everyday life referring to the status of our fellow humans; on the other hand, a technical theory with roots in eighteenth-century French and British philosophical thought about the interrelation between economic production, society, and the state. What could these two possibly have to do with each other?

Let's start with *personhood*, a term far less straightforward than it seems. To begin with, we can't use *person* and *human* interchangeably because, as science fiction reminds us, when the aliens do eventually arrive they will presumably expect to be treated with the respect due to self-legislating beings. Personhood is a moral status that is not limited to humans. For that matter, right here on our own planet, some animal rights advocates would want to extend it to great apes, or even more broadly. Nor is a biological incarnation necessarily even a prerequisite. Recent exponential advances in AI technology open up the future possibility of self-conscious computers and robots whose potential moral rights as self-aware entities have likewise long been a staple of science fiction. Personhood is a moral status that is not limited to organic life. Indeed, in a legal sense (if admittedly more fuzzily in a moral sense), personhood is independent of such considerations, as demonstrated by the US Supreme Court's 1886 decision to recognise corporations as persons under the Fourteenth Amendment and their more recent 2010 *Citizens United* decision removing, under the First Amendment, limits to corporate political spending. "Person", as John Locke pointed



out long ago, “is a forensic term”, though even he did not realise how liberated from the biological it would eventually come to be.

So ‘person’ may extend far beyond the human. But my concern here is, so to speak, with movement in the other direction: not the speculations of novelists or the jurisprudential decisions of legislators about the non-, trans- or extra-human, but the restriction of who is counted as human *within* the borders of the human. Not, in other words, the demarcation and adjudication of the non-human person but rather the demarcation and adjudication of the human non-person.

It was, after all, that same US Supreme Court so generous in its recognition of corporations that had earlier, in the 1857 *Dred Scott* decision, judged that blacks were “beings of an inferior order” with “no rights which the white man was bound to respect”, so that “the negro might justly and lawfully be reduced to slavery for his benefit”, this being “an axiom in morals as well as in politics, which no one thought of disputing”. Clearly if these beings were human they did not reach the threshold of personhood.

Though the Civil War and post-bellum Reconstruction swept away the decision, leading to the passage of the Thirteenth, Fourteenth, and Fifteenth Amendments, the withdrawal of federal troops after the 1877 Hayes-Tilden Compromise would enable the re-subordination of blacks under the new regime of Jim Crow, to be given formal federal sanction in the 1896 *Plessy vs. Ferguson* decision. A case can be made that no conjunction of events more clearly summarises the political economy of personhood in the racial capitalism of the United States than corporations’ being recognised as persons in the same post-bellum period when blacks’ personhood was being taken away. Or—to move to the present—that corporate political power has been given free rein through the *Citizens* decision at the very time that mass incarcerations from the ‘War on Drugs’ are, in a “new Jim Crow”, disenfranchising and rendering politically impotent hugely disproportionate

numbers of African Americans.<sup>1</sup>

In sum, 'person' is not co-extensive with 'human' because to be human is neither necessary nor sufficient for personhood. Non-human entities exist that count as persons while human entities exist that do not count as persons. Not all humans have been granted the moral status to which their presumptive personhood should have entitled them.

When I speak of the political economy of personhood, then, I really mean the political economy of *socially recognised* personhood. I am taking for granted that morality is objective, so that people's actual personhood continues to exist independent of social convention.<sup>2</sup> But I am drawing our attention to how serious an error it is to assume that one's humanness guarantees that one's humanness, and corresponding presumptively equal moral status, will actually be acknowledged. In fact, I would suggest that this elision, or slide between the two, is facilitated by the term 'person' itself. We tend to use it to signify both a factual characterisation (roughly, 'human') and an achieved moral status (roughly, 'human recognised as equally human'). We conflate, in other words, the factual and the ideal, the descriptive and the normative. And what I am suggesting is that we need to peel these apart and face the reality that, historically and still currently, most humans were not and are not socially recognised persons, or, more neatly and epigrammatically put: *most persons are non-persons*.

Now this claim may seem extremist. But I would contend that if it

1. See Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: The New Press, 2010).

2. Here I differ from Derrick Darby, from whose challenging book, *Rights, Race, and Recognition* (New York: Cambridge University Press, 2009), I have nonetheless greatly benefited. Darby contends that in the absence of social recognition, rights do not exist, so that those not socially recognised as persons are *not* in fact persons. I want to insist, by contrast, that personhood is a morally objective fact, independent of whether it is socially recognised or not.



[takomabibelot/Flickr. Creative Commons.](#)

does, it is only because our consciousness has been so colonised by the official narrative that white male normativity still unconsciously shapes our frameworks. The rethinking of social theory in the light of several decades of feminist and critical race theory scholarship—the rethinking that should have “placed in a new light” for us the hegemonic framings of the human—has not yet been sufficiently thoroughly carried out. We still think of personhood, at least for the modern period, as being the default mode, the norm, when in actuality non-personhood is the norm.

Even in the official narrative, this is more or less conceded for the pre-modern epoch. The periodisation of the past few thousand years is standardly recounted as follows. In the ancient and medieval world, inequality and ascriptive hierarchy are the norm. People are divided into citizens and slaves, or lords and serfs. So the individual is not really a significant category. What is important is your estate membership, which largely determines, from birth to death, your status

and your fate. Modernity represents a tectonic moral break with this world, since ‘people’ (conceived of as generic) are now recognised as morally equal individuals. Thus we get the inspirational story of the American and French Revolutions, the famous declaration that “We hold these truths to be self-evident, that all men are created equal”, and the slogans of liberty, equality, and fraternity. In this new world, the individual becomes the central bearer of value, so that government can only be justified with respect to the consent of these individuals, and social justice is supposed to be determined by their needs and interests. Liberalism is then the normative vehicle of this emancipation of individuals, *persons*, from absolutism and moral inequality.

But what if there are gender and racial prerequisites to being an individual? The problem with the orthodox narrative is that it limits ascriptive hierarchy to estate membership, conceived of as classes. The formal abolition of class hierarchy is then taken to be equivalent to the formal abolition of ascriptive hierarchy simpliciter. Previously, as in the writings of Locke’s political adversary in the *Second Treatise*, Sir Robert Filmer, white males were deemed to be themselves hierarchically ordered. Whether through noble blood or divine dispensation or both, some white men were judged to be naturally superior to other white men. The overturning of this hierarchy is then supposed to sound the tocsin of the new egalitarian world order. But what it really does is signal the equalisation, the ascent to personhood, of white males in general, who are then entitled to rule over naturally inferior white women and the new category of people of colour, who are likewise deemed inferior.<sup>3</sup>

### **Persons: the minority of humans**

Consider gender. As Catharine MacKinnon’s powerful essay “[Are Women Human?](#)” should bring home to us, women of *all* classes have been denied the status of full personhood for thousands of years, including the present, at least if we take personhood to be—as

3. Carole Pateman, *The Sexual Contract* (Stanford: Stanford University Press, 1988).

we should—a robust moral status implying not merely formal juridical equality, but substantively guaranteed equality, in the sense of the political will and allocation of material resources to actively enforce anti-discrimination measures and correct for their legacy. So that's half the population to begin with. The dawn of the modern age is supposed to dissolve caste and social estate and usher in the epoch of the individual. But of course it does not do this for women, who remain imprisoned in a gender 'caste', a female 'estate'. And crucially, the dissolving of caste hierarchy for white men coincides with the introduction of a new kind of caste—race—for what become people of colour. Across the globe, hundreds of millions of people are now categorised as belonging to a less-than-full-persons nonwhite category, whether as Amerindians on the two continents, native Australians, African slaves, or colonised Asians. From the fifteenth-century Catholic "Doctrine of Discovery"—through the rulings in international law, slave codes, and racial regulations of the colonial period—to the 1919 vetoing by the 'Anglo-Saxon nations' (Britain, the United States, Canada, South Africa, Australia, New Zealand) at the post-World War I Versailles conference of the Japanese delegation's proposal to insert a racial equality clause in the League of Nations covenant,<sup>4</sup> the ethico-juridical inequality of people of colour was globally affirmed. A patriarchy that was already planetary was joined by a white supremacy that, by the start of the twentieth century, would become planetary also.

Once we face this history without evasion, we should be able to see that the claim that, even under modernity, only a minority of humans are socially recognised persons is, far from being radical and extremist, obvious and undeniable. Women of all races and male people of colour put together constitute the majority of the population. How could this not have implications for the 'modal distribution' of personhood? Once gender and race are seriously taken into account rather

4. See chapter 12 of *Drawing the Global Colour Line: White Men's Countries and the International Challenge of Racial Equality* (New York: Cambridge University Press, 2008), by Marilyn Lake and Henry Reynolds.

than being theoretically bracketed, the official narrative of modernity, liberalism, and the individual is dramatically overturned. Liberalism must then be reconceptualised not as the normative vehicle of the emancipation of *all* individuals, but as the normative vehicle of the justifiable absolutist rule of equal white male persons over morally inferior, gender- and racially-demarcated sub-persons.

### Political economy: determining personhood

And that brings us to political economy. For once we realise how contingent the connection is between actual (objective) personhood and socially recognised personhood, we should be moved to ask the question: what determines this granting and denial of social status? The mainstream response will cite individual bigotry and prejudice. But I think it is more illuminating to turn to social structure and political economy.

Political economy in the classic eighteenth-century sense tries to understand the overall dynamic of a social system, including the workings of the state, the legal system, and the moral economy, through a focus on economic production. In the specifically left tradition of Marxism, this becomes an analysis of the class structuring of the economy and of the class dynamic at work. Marx's most famous text, *Capital*, is subtitled 'a critique of political economy', not because Marx was against this project of understanding the social dynamic but because he thought the centrality of class conflict and class exploitation was being denied by his predecessors and contemporaries. Marx did not see economic production as a harmonious cooperative process but one in which conflicting class interests were at stake.

So one way of thinking of Marx's project is as a challenge to liberalism and liberal representations of capitalism. Political economy in the left tradition rejects the atomic individualist ontology classically associated with liberalism for a social ontology of classes. It denies the reciprocally beneficial character of economic transactions for a diagnosis of exploitation. It points us to material group interests as a factor

that needs to be taken into account in any realistic assessment of the possibilities for social change. And it suggests that people's moral psychologies (their motivations, their beliefs about the world, their sense of right and wrong) are going to be significantly shaped by their locations in different classes.

Now the socialist dream associated with this project has, needless to say, fallen on hard times. But that prescriptive failure has not, to my mind, discredited the diagnostic value of a left political economy approach to understanding social dynamics, given its insights about the centrality to the social order of domination, exploitation, and conflicting group interests—in sum, its *materialism*. However, at least two key weaknesses in this tradition need to be addressed.

One is Marx's one-dimensional focus on class. He did not appreciate that there needed to be a political economy of gender and race as well as class, one that looked in their specifics and their multi-dimensionality at the distinctive systems of patriarchy and white supremacy.

The second is his failure to take morality seriously, which he thought—in my opinion wrongly—was incompatible with materialism. Though much of his writing is marked by a sense of outrage that seems to imply a clear moral condemnation of capitalism, this judgment is undercut by the contemptuous and dismissive remarks he makes elsewhere about morality in general, and by a theoretical framework that renders it marginal. Marx seems to have thought that rights were a necessarily bourgeois concept, and that utilisation of a moral discourse proved one endorsed the naïve belief that moral suasion of the privileged could on its own bring about radical social change. And the result of this dual failure is that nowhere in his work did he come to recognise and theorise the peculiar ramifications of the fact that—unlike the class ontology of white males—*the social ontology of both gender and race is a moralized one, in which white women and people of color are constructed as morally inferior.*



Marx characterises the eighteenth-century liberal revolutions as “bourgeois” revolutions. But his criticism is not that they have failed to abolish non-class ascriptive hierarchy, but that their abolition of class hierarchy has not eliminated the *material* domination of the privileged classes, the emergent bourgeoisie. The famous “atomic individuals” are actually asymmetrically located in economic power relations. But they are still *individuals*, persons, whose equal moral status is not under contestation, only the range of options liberalism unrealistically attributes to them. What he does not see is that white women and non-whites *do not even attain this status*. So his critique of liberalism, and the left tradition in political theory this critique inaugurates, is focused on liberalism’s neglect of material class advantage and disadvantage. The “materiality” of non-personhood, and its radical implications for the theory, is not explored. This conceptual blindness generates a white-male political economy that, over the subsequent century and a half, would consistently fail to apprehend how patriarchy and white supremacy, as systems and sub-systems of domination, shape not merely the exploitative labour regimes under which women and people of color work, but their very moral status, their socially denied personhood.

What would a necessary rethinking mean? It would produce a revisionist narrative of modernity—and, more generally, of the periodisation of the west—and a different perspective on liberalism and its ‘persons.’ On the conventional narrative, we move from two epochs (antiquity, feudalism) characterised by social hierarchy, moral inequality, social estates, and the absence of the individual to a third epoch, modernity, characterised by social equality, moral egalitarianism, the disappearance of social estates, and the emergence of the individual. Liberalism in its different versions (right/*laissez-faire* and left/social-democratic) is then the ideology of this epoch, for which the *person* is central. Since equality is supposedly taken for granted by all sides, it is not an issue. Instead the crucial moral and political debate is the dispute between weak egalitarians (who only recognise moral, juridical, and political equality) and strong egalitarians (who want in addition a greater degree

of material equality)), the classic dispute between the right and the left.

But once we recognise the fictitiousness of this putative equalisation of status, we will see that there is a moral and political debate arguably more foundational, whose centrality to the making of the modern world has been concealed by the seemingly innocuous—but actually hugely consequential and question-begging—assumption that all persons have in fact been recognised as persons. Liberalism has in reality been both patriarchal and white-supremacist, so that the achievement of gender and racial equality requires its fundamental rethinking—an enterprise not at all the same as the standard advancing of left-wing claims about class handicap. It is not simply a matter of material economic barriers but materialised norms of the legitimately human that are embedded in the political economy itself. In the long historic struggle across the planet for women's rights, in abolitionism, in the anti-colonial and anti-imperialist cause, in the fight against segregation and racial inequality, a political battle has been ongoing for centuries still not conceptualised as such because of the dominant white-male cartography of our ethico-political maps. This ongoing struggle for equally socially-recognised personhood, for the redefinition of the human, needs to be appropriately centrally located in our social and political theory. We need to formally acknowledge the political economy of personhood—and its deprivation of the majority of humanity of this status.

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## The antiblackness of ‘modern-day slavery’ abolitionism

*Antiblack racism underwrites the contemporary movement against “modern-day slavery”. The anti-slavery movement is haunted by the specter of racial slavery even while it parasitically feeds off of it.*

Tryon P. Woods

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The contemporary movement against ‘modern-day slavery’ makes a grave analytical and political error that, unfortunately, is all too common to our antiblack world. By ‘antiblack world,’ I refer to how blackness continues to represent danger and sexual savagery. It is the mark of the least desirable, the position against which all other oppressed subjects calibrate their humanity—as in, *as hard as my life may be, at least I am not black*. Black people collectively generate no respect, honour, or value, let alone ‘rights’ or power—not because they are poor, live under corrupt governments, or live during a time of population explosion (all leading explanations for the emergence of ‘modern-day slavery’), but rather simply because of their existence as such. As much as blackness is the mark of the non-human, it is also the negation of ‘womanhood’ and ‘manhood.’ Long after anti-colonial movements the world over have permanently discredited white supremacy, the principle of antiblackness remains solidly in effect: it is best to be white; but if that proves beyond reach, *at least do not be black*.

Antiblackness is the product of racial slavery. The enduring effect of this is that the slave is both paradigmatically black *and* construed in terms of a bestial and openly vulnerable sexuality. This spectre of blackness, understood as sexual savagery, is present whenever the discourse of ‘slavery’ is evoked, even when the subjects are racialised as non-black or white. The essential failure of recognising even the basic features of the relationship between antiblackness and slavery produces a number of serious consequences.

First, the movement against ‘modern-day slavery’ deploys non-racial language to define the racialised realities that it addresses, an approach that solidifies the existing racial regime. If we situate our analysis within the archive of black social movement, we learn that the best way to preserve the racial *status quo* is to simply re-present it in non-racial terms. An abundance of empirical evidence reveals that 21st-century American society is as racially hierarchical as it has ever been. Several recent books demonstrate this well, such as *Racism without racists: colourblind racism and the persistence of inequality in the United States* by Bonilla-Silva or *The shame of the nation: the restoration of apartheid schooling in America* by Johnathan Kozol.

Whites are the single most segregated racial group, and wealth, health, education, and employment disparities have increased rather than diminished in the post-civil rights era. Yet this evidence remains unpersuasive in the face of the prevailing non-racial logic, which maintains any remaining inequities are due to something other than racism. The non-racial language of the ‘modern-day slavery’ discourse is particularly dissimulating of the power relations in which the violent carnality of ‘race’ is simultaneously the normative process by which ‘sex’ is conferred. Given western civilisation’s basis in the sexual plunder of slavery and colonialism, it is unsurprising that today’s anti-slavery movement is inordinately preoccupied with women’s sexual victimisation. For instance, the focus on white women from eastern Europe working in commercial sex recalls the fight by British and US feminists against trafficking in prostitutes in the late nineteenth and early twentieth centuries, what they termed at the time the ‘white slave trade.’ In both the earlier period and the contemporary one, the expenditure of ‘slave’ marks these women as socially dangerous because it implies proximity to blackness and labels them as victims undeserving of their plight, all the better to broaden the scope of state surveillance of sexuality.

Second, the anti-slavery movement is ahistorical. Again, black history is corrective. Abolitionism against racial slavery showed us how ‘res-

cue' movements are always self-referential: they aim at the salvation of the rescuer, not the rescued. White abolitionists frequently argued that slavery was an abomination because it made whites lazy and morally weak. W.E.B. DuBois teaches us that the American Civil War began as a war to *preserve* slavery, to keep it *in* the Union, not to abolish it; and it only *became* a war to end slavery as a result of the self-activity of the enslaved Africans themselves who stole away their labours from the South and forced the issue of abolition on the North. Anti-slavery does not necessarily mean anti-racist and 'rescue' missions are politically suspect.

Third, today's abolitionism shrouds its rescue mission in its non-racial discourse. The moral authority that anti-slavery mobilises today partly stems from the memory of black liberation that it implicitly draws upon—all the while explicitly distancing itself from black historical struggle. The movement often contrasts the 'facts' of 'modern-day slavery' with those of the 'old' (racial) slavery in order to emphasise how much worse the situation is today. The moral imperative of abolitionism today, therefore, rests not simply in objections to human oppression. It is also tied to white people's unconscious memories as the perpetrators of racial slavery. Anti-slavery today seeks to exorcise this history. As such, it is anything but non-racial, despite its language.

Fourth, while slavery is evoked to cloak contemporary abolitionism with a political saliency and emotional urgency that only memory of *the* foundational institution of the modern world could sustain, there is a decided absence of solidarity with actual black suffering today. Part of this problem lies with an incorrect understanding of slavery itself. Racial slavery was never simply supreme labour exploitation, or even being held captive. It was foremost about the accumulation and usefulness of black bodies for all manner of desire, whim, fantasy, or need of white society. Racial slavery was primarily a symbolic economy, an arrangement of meanings about who was human, which bodies had integrity, who could deploy violence with impunity, and the in-

terdependence of 'freedom' and slavery. As the political economy has changed with time, the symbolic economy of antiblackness persists. The ubiquitous spectacle today of the police killing unarmed black people in [the street](#), in their homes, and [in stores](#) reiterates the *ongoing* power relations of slavery.

Where is the anti-slavery movement when black people are being gunned down today by both state and civil society? Where are the abolitionists now when the black community endures all manner of premature death? Where is agitation over 'modern-day slavery' when [black schools are degraded and then closed](#) altogether? I suggest that the invisibility of black struggle today highlights how the current anti-slavery movement hinges on assertions of Africans' culpability in both racial slavery and its 'modern-day' version. In this narrative, African agents foist slavery upon an unwilling west and Africa is construed, again, as the locus of criminality and barbarism. In short, the current abolitionists are prosecuting their cause using the original terms of racial slavery, many centuries later.

The primary corrective for the problems of the anti-slavery movement is the same as for the problem of the antiblack world generally: solidarity with black historical struggle. Lessons from black history that are relevant to the 'modern-day slavery' question include: 1) law is not a viable avenue for social redress: reform ends up extending, rather than ameliorating, black suffering; 2) work will not set you free: black people's hard labour had little bearing on black self-efficacy, to the point where now, given the rates of black unemployment and incarceration, black people are more valuable to the economy idled and quarantined in ghettos or prisons; 3) self-defense is a prerequisite for self-determination: the unrelenting public spectacles of black vulnerability at the hands of the law and the unceasing reiteration of black pathology are meant to disqualify any expression of black self-possession.

These lessons directly confront the anti-slavery movement's priority

on human rights as the privileged vector for justice; they address the movement's arbitrary distinction between 'slavery' conditions and all other conditions of 'work' under capitalism, including labour that has been rendered surplus altogether from the global economy; and they call into question the implicit requirement that the legitimate subjects of 'modern-day slavery' are passive victims, rather than people engaged in various modes of self-activity, including armed resistance.

Ultimately, what is called into question is the very conception of justice on which this movement trades. As a result of *racial* slavery the very existence of the modern era is unjust. The search for justice within an unjust paradigm, therefore, is premature at best, since we have yet to adequately explain the paradigm. Before we can conceive of justice, then, we must focus on *ethics*, on accurately explaining relations of power, including those in which the movement to end 'modern-day slavery' arises.

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This essay is extrapolated from a larger research paper entitled "Surrogate Selves: Notes on anti-trafficking and antiblackness", *Social Identities* 19(1) 2013, 120-134.



## Don't call it a comeback: racial slavery is not yet abolished

*The on-going history of black freedom struggle should remain the contemporary focal point and forum of political demands for global justice.*

Jared Sexton

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Slavery has, of late, undergone a bifurcation in political and intellectual discourse. On one side, there are those who assert that thinking about possibilities for radical social change today are pre-empted by an undue focus on the history of racial slavery, the international abolitionist movement, and its post-emancipation cognates throughout the Atlantic world. They claim that the critical sensibilities and political energies of people of conscience have been absorbed by the centuries-long black freedom struggle against racial slavery. Framing our political efforts within this matrix, it is thought, eclipses equally pressing problems arising from distinct but related histories of capitalism, colonialism, and settler colonialism as well as the diverse movements arrayed against them. Within the professional milieu of the United States at least, entire fields of academic inquiry, journalism, policy-making, and service provision, and much community organising and activism as well, have for a full generation advocated for an end to 'the black-white binary' analysis of race and racism. The call for paradigm shift has become the hallmark of the 'post-civil rights era', only more pronounced post-cold war and post-9/11, in which initiatives for racial justice, immigrant rights, indigenous sovereignty, liberal multiculturalism, and conservative colorblindness operate uneasily—often unwittingly—within a broad-based strategic integration.

On the other side, there are those who assert that the progressive causes to which they have dedicated themselves are, in fact, extensions of the same black freedom struggle otherwise thought to have run its course in the mid-twentieth century and whose residual pride of place

continues to obfuscate and distort movements for justice and equality in the present. Indeed, some of those urging us to move beyond “the black-white binary” employ key terms and concepts and not a little of the style, tone, and timbre of black movements as they seek to decenter, subordinate, or supersede them. The ‘new abolitionists’ fighting ‘slavery’s global comeback’ a century and half after emancipation proclamations echoed throughout the hemisphere are surely the most curious, and notorious, of the lot. The new abolitionists, including those working for the United Nations, the US State Department and human rights groups, are worried that interventionist approaches couched in terms of ‘human trafficking’ to ameliorate the condition of some thirty million people in question are euphemising relations of force that amount to slavery here and now. For this cohort, the problem is not too much talk of slavery, but far too little.

How to understand this contradictory regard for the history of racial slavery and black freedom struggle in the early 21st century? We might begin by interrogating the stated or implied definition of racial slavery held in common by these various and sundry ‘post-black’ political phenomena. In each case, racial slavery is disavowed, which is to say that it is acknowledged and denied at once. It is acknowledged insofar as it is that historical experience most responsible for the African diaspora and definitive for African-derived people in the Americas and the Caribbean, given that racial blackness and modern slavery were, across the better part of a millennium, materially and symbolically soldered in the historic instance. It is denied insofar as it is thought that racial blackness and modern slavery, once soldered, can be and have been materially and symbolically separated without another epoch of catastrophic violence commensurate with their making. To wit: a global slave population in the current conjuncture whose “highest ratios...worldwide are from South and Southeast Asia, along with China, Russia, and the former satellite states of the Soviet Union”, according to [J.J. Gould’s 2012 article in \*The Atlantic\*](#). Gould notes further: “Though now universally illegal, slavery still exists”.

There's the rub, but neither for the reasons the new abolitionists propose nor for those offered by most of the critics whom I join in the *BTS Short Course*. For the former group, the problem of slavery's illegality demands redoubled efforts at law enforcement and compliance monitoring throughout the global commodity supply chain, humanitarian aid, and economic development projects in the poorest and most vulnerable regions of the world alongside ethical consumption practices and reformed immigration policies in the richest and most protected. Various critics in this series have demonstrated amply that all such approaches mistake the symptoms for the cause, leaving intact the whole infrastructure of neoliberalism, which must systematically violate the letter and spirit of its own rule of law in order to continue its proper and lawful occupation. For the latter group, the rhetoric of contemporary slavery mystifies the genesis of 'human trafficking' and euphemises relations of production that amount to exploitation here and now, while insisting we can and should resolve the problem by pursuing what political commentator Sally Kohn has called a "[kinder, gentler capitalism](#)".

### Rethinking slavery and freedom

The new abolitionists and their critics, despite acute debate about how to address extreme exploitation today, may nonetheless share a common misunderstanding of (racial) slavery and (black) freedom, past and present. I am taking a cue here from historian James Oakes, who argues in [Slavery and Freedom](#) that such misunderstanding involves a failure to distinguish sufficiently the economic and political domains. The result is a conflation of slavery with conditions of severe material deprivation, including the conditions requisite for life itself. Oakes, however, is careful to relate the economic question of material well-being to the political question of standing within a social order: "a slave was a slave, whether he lived a healthy hundred years or a sickly forty, whether she was better fed than a Polish peasant or more miserably housed than an American yeoman".

A slave is one without standing *anywhere*, no matter how elevated in role or material circumstance. Even the well-fed, long-lived slave. Even the enslaved state functionary or military conscript. Even the manumitted slave gainfully employed, awaiting recapture. Even one attaining the trappings of the mythic middle class, the celebrity of a pop icon, or the seat of elected office. Though the latter examples may strike the reader as hyperbolic, we must recall that we are, to cite cultural theorist Hortense Spillers, talking ultimately about “[how status is made](#)”. The salient point has to do with the novel political standing that racial slavery brought into the modern world: a null status ascribed to the *essence* of the enslaved and to those thought to be eligible for enslavement by virtue of a social category, creating negative ties along horizontal and vertical axes to any and all contemporaries or to past and future generations. Hence, the uncanny resemblance between Oakes’ rejoinder—“a slave was a slave, whether...”—and Fanon’s famous observation in *Black Skin, White Masks*: “wherever...a negro remains a negro”.

We might track the critique of the new abolitionism along three lines. First, a serious concern about addressing the legacy of slavery *since* emancipation and challenging how the metaphorical use of slavery to describe extreme exploitation does a disservice to the true source, scale, and nature of the problems that define our moment. Second, a deeper concern about the continuation of the political conditions of slavery *despite* the circumscribed emancipation enshrined in the Thirteenth Amendment to the US Constitution and similar legislation. Legal scholar Guyora Binder reminds us that emancipation, far from providing a remedy for slavery, is actually a component of its form and function. “The institution of slavery could persist without any individual being lawfully held as a slave” in the usual meaning of the term, writes Binder in his [1996 article](#) for the *Cardozo Law Review*. Abolition, then, entails far more than universal manumission, something only indicated here as the generalisation of the ex-slaves’ “[freedom dreams](#)” for a radical reconstruction of society. And third,

paraphrasing critical race theorist Anthony Farley, a fundamental concern about “perfecting slavery” paradoxically *through* emancipation and the on-going struggle for black equality.

This third concern differs from the now standard criticism of black movements that would reduce them to anti-racism, reduce anti-racism to demands upon the state, and reduce demands upon the state to statist politics. The caricature of black freedom struggle would like to paint its vast and varied activity into the corner of irrelevance; whether restricted to an admirable historic victory against a specific set of lamentable conditions in the nineteenth and twentieth centuries, or denigrated as an annoying fixation upon a specific set of conditions far less lamentable than those it blocks from sustained consideration. What this third concern suggests is that slavery is indeed a contemporary problem “all over the world”, but not the de-racialised colourblind slavery of the global comeback narrative. Racial slavery does not simply persist in attenuated form as a legacy or aftermath demanding continued vigilance. Neither does it persist in vacated form post-emancipation as a slavery without slaves. Those would be problems enough. Rather, it persists as a problem compounded by every effort to eliminate it while preserving the fabric of the very modern world it brought into being, not only its prevailing economic system. For adherents to the status quo, abolition is a four-letter word, a demand “too radical to be formulated in advance of its deeds”.





## **Section two**

Racial slavery and its afterlives

## The mythology of racial democracy in Brazil

*Brazil's government has taken important steps to combat racial inequalities over the past two decades. Afro-Brazilian populations nevertheless remain socially and economically excluded, continuing patterns that began with legal slavery.*

Ana Lucia Araujo

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Brazil has been in the news a great deal of late, especially in association with the 2014 FIFA World Cup. The most popular images involve football, carnival, samba, sunny beaches, and tanned women in bikinis. Less well known is the history of slavery and racism that continues to have a profound impact upon Brazilian society.

Brazil has the dubious distinction of having imported the largest number of enslaved Africans—more than five million—of all countries of the Americas. The slave trade from Africa to Brazil was outlawed in 1831, but an illegal trade continued until 1851 before being outlawed for a second time. In contrast, legal slavery persisted until 1888, making Brazil the last country to abolish slavery in the western hemisphere. Today, 53 percent of the Brazilian population self-identify as black or *pardo* (brown, or mixed race). These terms as established by the census refer to colour and not ancestry.

Achieving the abolition of slavery in Brazil was a long and difficult process. Abolition in 1888 was preceded by laws that, theoretically at least, freed the children of enslaved women (1871) and slaves who reached the age of 60 (1885). There was already a large free black population when slavery was abolished, and both this population and newly freed slaves received little or no assistance from the Brazilian government. There was no distribution of land or provision of education, leaving established patterns of wealth, privilege, and racial hierarchy in place. In 1891, a new constitution established that only males with high in-



comes had the right to vote. The illiterate population, the vast majority of whom were Afro-Brazilians, remained prohibited from voting. At the same time, the government continued to encourage European immigration as a means to replace the enslaved African workforce, whose numbers had decreased following the ban of the Atlantic slave trade to Brazil. Inspired by eugenic theories, the monarchy and later the republican government, as well as Brazilian elites, believed that the arrival of massive numbers of Europeans would lead to miscegenation and eventually ‘whiten’ the majority black Brazilian population.

### Harmonic racial relations?

A new self-definition of the Brazilian society emerged over the course of the twentieth century. Brazil would come to be understood as the result of the mixture of three groups— indigenous Brazilians, Europeans, and Africans—who had found a way of live in racial harmony. In other words, according to this vision, there was no racism in Brazil.

This mythology, which has become known as ‘racial democracy’, was undergirded by the fact that Brazil, unlike the United States, had never enshrined segregation in law. This allows for markedly different types of racialisation in Brazil than in the United States. For example, the recent case of Rachel Dolezal, [in which a US white civil rights activist publicly presented herself as a black woman](#), would be virtually impossible in a country like Brazil. Whereas in the United States a drop of ‘black blood’ made an individual an African American, in Brazil a drop of ‘white blood’ could make someone a white person. Thus, no matter alleging African ancestry, it is unlikely that a person with blue or green eyes and very light skin could ever be identified as an Afro-Brazilian.

Moreover, in Brazil race categories became deeply connected to class. In 2005, when the soccer player Ronaldo (now retired) was invited to comment the issue of racism in soccer stadiums, he responded that he was not able to understand it: “I, who am white, suffer with such ig-

norance”. Rich and famous, Ronaldo can only embrace the ideology of racial democracy and see himself as a white man because his social position protects him from racial prejudice. In the United States, African American celebrities and even President Barack Obama are constant victims of racial hatred. However, explicit racism against dark-skinned individuals is a visible feature both in Brazil and the United States.

Despite this political and popular rhetoric of racial democracy, Brazilian officials and elites continued to valorise ‘whiteness’ and ‘whitening’ as physical and cultural characteristics. In 1950, following the end of the second world war and the Holocaust, the UNESCO General Conference commissioned a study on race relations in Brazil. As a result of the conference, a document signed by French anthropologist Claude Lévi-Strauss and US sociologist Franklin Frazier stated that it was time to look at societies that were in great part able to override racial difference. For these scholars, Brazil was a country that had done the impossible—achieved racial harmony—and was therefore an example to be followed. Yet two years later the study commissioned by UNESCO arrived to the opposite conclusion. It demonstrated that racial and social inequalities, not racial democracy, prevailed in Brazil.

Although challenged by scholars and activists, the ideology of racial democracy was, and in some ways still is, very powerful in Brazil. Even Brazilian black activists believed for many years that racial democracy was an ideal that could be achieved. However, this hope ended when a military dictatorship took control of the country in 1964, suppressing civil rights and silencing the black movement.

With the gradual return of democracy in 1985, Afro-Brazilian activists began once again to mobilise around questions of racism and racial inequalities. The 1988 Constitution recognised racism as a crime in Brazil, even though few offenders were punished. In addition, the new constitution determined that the remnant *quilombo* communities—or runaway slave communities—had definitive ownership of their lands.

In 2003, Luiz Inácio Lula da Silva issued a presidential decree that expanded the definition of *quilombos* to include a variety of black communities in rural and urban areas who were historically excluded from land ownership following the legal abolition of slavery.

### **Afro-Brazilian land ownership and placement quotas**

These measures were positive, but progress has been slow. Between 1995 and 2014 the federal government confirmed legal ownership titles to only 140 *quilombo* territories—at times only partially—in which 229 *quilombo* communities are settled. Around 1,400 territories remain on a waiting list to have their titles awarded. By November 2014 the Palmares Cultural Foundation (a government agency created in 1988 to preserve and promote the rights of black communities) had certified 2,431 *quilombo* communities as being eligible for federal financial support. Yet the great majority of these communities do not have yet full ownership of their historical lands.

The most visible initiative to fight racial inequalities has been the implementation of affirmative action in Brazilian universities. After almost two decades of public debate, the 2012 Federal Law 12.771 established that by 2016 all federal higher education institutions must implement quotas on the basis of attendance at public high school, family income or being indigenous, black, or brown.

Opinion polling carried out in 2013 suggests that most Brazilians now support the quota system, despite opposition from parts of the media and middle and upper classes. In 2014, a quota system for the federal public service was also sanctioned. According to the new law, 20 per cent of the vacant posts are reserved to Afro-Brazilian candidates.

In addition to land ownership and placement quotas, many other actions were undertaken to promote Afro-Brazilian heritage. In 2003, Law 10.369 sanctioned and made mandatory the inclusion of Afro-Brazilian history and culture in primary and high school curricula.

### Fighting poverty among Afro-Brazilians

Successive governments led by the Workers Party have implemented the Family Allowance programme since 2002. This social programme has supported individuals living in extreme poverty—defined as a monthly income of less than R\$77 (£16/US\$24) per month—with allowances between R\$35 and R\$77 per month (£7/\$11 to £16/US\$24).

Government statistical data from 2015 reports that almost 14 million families have benefited from this programme. Of this total, around 75 percent were black, brown, or indigenous Brazilians. Although the data suggest that by fighting extreme poverty the government is improving the living conditions of Afro-Brazilians, the numbers also indicate that still in 2015 Afro-Brazilians constitute the majority of the population living in extreme poverty in Brazil.

Today nobody can seriously claim that Brazil is a racial democracy. The persistence of deep social and racial inequalities is visible in various spheres, including access to education, healthcare, and housing. According to a newly released report by the Brazilian [Forum on Public Security](#), Afro-Brazilian male youth make up the majority of the victims of violence in Brazil. Black males between 12 and 29 years old have a 2.5x greater chance of being killed than their white male counterparts.

Despite on-going initiatives to fight racism and social inequalities, Afro-Brazilians continue to occupy a position of marginality and exclusion in Brazilian society. As Brazil aspires to a prominent position in the global arena, the country's racism and racial inequalities, increasingly visible to international audiences, remain major challenges. Worryingly, as the Brazilian economy stagnates and public expenditures are dramatically cut, the prospects for Afro-Brazilian social inclusion are becoming more remote.

## The present tense of (racial) slavery: the racial chattel logic of the US prison

*The US prison regime functions through a racial chattel logic. Its animating force is not economic exploitation but rather racialised social reorganisation and neutralisation.*

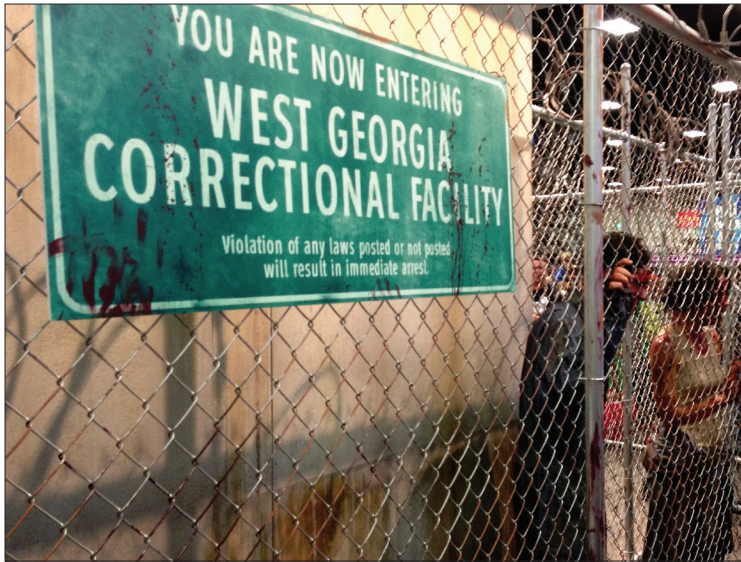
Dylan Rodríguez

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Since the era of colonial and genocidal world conquest, the historical pathways of transatlantic chattel slavery have marked the geographical and political boundaries of global racial dominance. We cannot adequately conceptualise, theorise, or politically intervene in contemporary institutions of bodily expropriation and chattel-making—literally, the violent conversion of the human subject into an object of violent commodity relations/exchange—without a central focus on ‘race’ as a matrix of enslavement. Racial slavery thus cannot be positioned in the *past tense*, as if it were some kind of historical artefact no longer relevant to the shaping of our global (racial) condition. Neither can the endemic violence of racial chattel slavery—its institutionalised rituals of psychic, physical, and cultural brutality—be conceptualised as the extremist or irrational residue of an otherwise bygone period. Slavery shapes our spatial and political *present tense*, to the extent that the places in which we move would literally not exist as they do if not for the epoch-shaping violence of a global racial enslavement regime.

How does racial chattel slavery, as a modeling of power relations, shape the current historical moment?

The formation of the US prison is distinguished by a *racial chattel logic*. The prisoner/‘convict’/‘inmate’ is legally understood as the bodily property of the state, eviscerated of civil existence (including ‘rights’) and designated as available for ‘involuntary servitude’. Scholars such as Angela Y. Davis, Marcus Rediker, [Alex Lichtenstein](#), Dennis Childs,



Todd Awbrey/Flickr. Creative Commons.

Sarah Haley, David Oshinsky, Douglas A. Blackmon, Matthew J. Mancini, and others have differently traced the links between racial plantation slavery and the emergence of the modern American penal system. This body of scholarship elaborates how the emergence and transformation of the US prison during the late-nineteenth and early-twentieth centuries fundamentally replicated—and in many ways exacerbated—the social and racial logic of the supposedly abolished slave plantation. Moving from this work, we can more deeply examine how the Thirteenth Amendment’s alleged abolition of US slavery was animated by a white supremacist logic. The Thirteenth Amendment to the US Constitution, commonly glorified as the decree that freed the enslaved African, reads:

Neither slavery nor involuntary servitude, *except as a punishment for crime whereof the party shall have been duly convicted*, shall exist within the United States, or any place subject to their jurisdiction. [emphasis added]

We might rethink the implications of the Thirteenth Amendment in the following way: at the moment that the amendment designates the “duly convicted” as *available for* formal subjection to “involuntary servitude” (re-enslavement), it effectively *revises and elaborates*—and absolutely does not ‘abolish’—the power relations and systemic racial violence formed over centuries of racial chattel slavery, including its trans-Atlantic dimensions. This *reform of slavery* formed the foundation for the rise of the modern US prison during the early-twentieth century and the subsequent emergence (since the late-1970s) of what we have come to know as the ‘prison-industrial complex.’ The contemporary US jail and prison is both a restructuring and institutional expansion of slavery’s systemic racist anti-black violence.

Further, the everyday institutional functioning of the US prison since the time of Thirteenth Amendment has *not* relied on the ‘exploitation’ of the incarcerated people as an alternative form of ‘slave labour.’ During the era of the US prison-industrial complex, for example, the overwhelming majority of imprisoned, jailed, detained, and otherwise incarcerated people are neither allowed nor solicited to ‘work’ during the time they are held captive by the state. This begs the question: if the contemporary condition is not best described as a time of massive ‘prison slavery’ (in the sense of a systemic exploitation of incarcerated people’s labour), then what is the link between the US prison regime and the power relations of slavery?

The US prison in its contemporary form is animated by the *social and cultural* logic of racial chattel slavery, and not its vulgar *economic* logic. Put another way: the US carceral regime, particularly in its late-twentieth and early-21st century form, has become a system of targeted, racialised human displacement and state-sanctioned social disorganisation and reorganisation of poor black, brown, undocumented, queer, indigenous, and other criminalised populations. Rather than exploiting incarcerated people as a surplus labouring chattel/slave class for the benefit of neoliberal capitalist profit and productivity—perform-

ing the grueling physiological labour of farming, metalwork, and data entry, for example—the logic of the contemporary prison regime is to *isolate and socially neutralise* the imprisoned as generally *non-labouring* chattel rendered permanently and formally vulnerable to the institutional violence of the state.

The point of this targeted, racial/gender/class specific system of criminalisation and incarceration is therefore *not* to imprison for the sake of harbouring an economically productive or profitable slave labour force. Instead, incarceration serves as a primary method of reproducing a racialised and gendered socioeconomic order from the local to global scales, and securing the internal conditions of ‘law-and-order’ for a historically white supremacist nation building project. By the latter point, I am merely reminding that racial chattel slavery was inseparable from US nation building until the close of the American Civil War and the passage of the Thirteenth Amendment, and remains inseparable from US nation building in the era of the prison-industrial complex and the emergence of multiple, racialised domestic wars on drugs, gangs, crime, etc. The fact that the United States has become the fastest and most prolific incarcerator in the history of humankind during the short span of the late-twentieth and early-21st centuries is no accident of history or idiosyncratic corruption of a malformed state: it is the logical outcome of slavery’s aftermath, and the primary evidence of slavery’s present tense.



## Racism, citizenship, and deportation in the United States

*US immigration laws from 1996 are draconian on paper and racially discriminatory in practice. Immigration reform in the United States must include their overturn.*

Tanya Golash-Boza

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In 1996, two laws were passed that dramatically changed deportation practices in the United States. Since the implementation of these laws in 1997—the Illegal Immigration Reform and Immigrant Responsibility Act, and the Antiterrorism and Effective Death Penalty Act—over five million people have been deported from the United States. That’s over twice the total of all deportations that took place prior to 1997, when people facing deportation had many more options for appeal. Although immigration reform is not on the immediate political agenda, past proposals have not included a recommendation to overturn the 1996 laws.

It is these laws, however, which lie at the heart of current problems. They transformed deportation from a relatively rare practice into an everyday function of immigration law enforcement. Any non-citizen in the United States, even a legal permanent resident, even the adopted child of a US citizen, has become vulnerable to deportation. For some adopted children, youthful indiscretions could result in being severed from the only families they have known. John Gaul, for example, was deported to Thailand at age nineteen after being convicted of car theft, despite being the adopted child of US citizen parents.

These legislative effects continue to be felt across the US, particularly amongst the Latino community. A recent Pew survey revealed that over a [quarter](#) of Latinos know someone who has been deported or detained in the past year. Last year, about [100,000](#) parents of US citi-

zen children were removed from the United States. That's ten times as many as the sum total of all parents of US citizens removed between 1997 and 2006. Not only is mass deportation on the rise, it also targets specific populations. About [90 percent of deportees](#) have been men, and nearly all (97 percent) are from the Americas, even though about half of all non-citizens are women and only 60 percent of non-citizens are from the Americas.

Mass deportation often happens with minimal due process. In 2009, according to the *New York Times*, [231 immigration judges heard more than 300,000 cases](#)—an average of more than 1,200 for each judge. Dana L. Marks, an immigration judge in San Francisco, explained in the same report that asylum hearings often feel “like holding death penalty cases in traffic court”. Despite the seriousness of the cases involved, immigration court is an administrative court without the due process protections of criminal courts. In immigration proceedings, you have no right to legal representation. You can be detained without bond. You can be deported without a full hearing. The discretionary power of judges is severely restricted. Those convicted now face mandatory and automatic deportation, no matter the extenuating circumstances.

### Deportation without due process

Current deportation laws ignore rights of due process. [Joe Velasquez](#), for example, was at a party in 1980 when an undercover agent approached him and asked where he could purchase drugs. Velasquez, who was in his early twenties, pointed the undercover agent to a drug dealer. This action led to Velasquez getting a drug conviction and five years of probation. Once that was over, Velasquez never got into trouble with the law again. He married a US citizen, had three children, and opened up a sandwich shop in Philadelphia. He figured his past was behind him. It would have been if he had been a US citizen.

Unfortunately, Velasquez was a Panamanian citizen, and a legal per-

manent resident of the United States. In 1998, at the age of 52, immigration agents detained him at the airport on his way home from vacation. Velasquez was then taken to Hudson County Jail, where he was detained until he could be deported to Panama. The 1996 legislation created a situation where Velasquez faced mandatory deportation to Panama, a country where he had not lived since he was five years old.

Velasquez's case is emblematic of the lack of due process in deportation proceedings. Due process refers to the establishment of appropriate procedures prior to subjecting anyone to punishment or the deprivation of liberty, yet Velasquez did not have the procedural protections normally accorded in criminal proceedings. This lack of procedural protections was significant in three ways:

1. As a non-citizen facing deportation, he did not have the right to a bond hearing to determine if he should be detained.
2. His detention and deportation were mandatory. If the immigration judge had the opportunity to weigh all of the equities of the case through a review, he might have found that Velasquez's three decades in the United States, family ties, and evidence of rehabilitation meant he did not deserve permanent exile.
3. Velasquez's deportation order was retroactive: although his 1980 drug conviction did not lead to deportation then, a change in laws meant he could be ordered deported retroactively.

The rights to due process and a fair trial are fundamental to the democratic tradition in the United States, yet they do not apply to non-citizens facing deportation. This is because deportation proceedings in the United States are civil matters rather than criminal procedures.

### **Unequal application**

Deportation laws are not only draconian. They are also disproportion-

ately applied to Caribbean and Latino men. As I show in *Deported: Immigrant Policing, Disposable Labour and Global Capitalism*, Jamaican and Dominican male legal permanent residents are five times as likely as other legal permanent residents to be deported.

The racialised and gendered nature of immigration law enforcement—specifically the targeting of black and Latino men—should not surprise anyone familiar with the history of state repression in the United States. The enslavement of African Americans, the internment of the Japanese, and the mass deportation of Mexicans in the 1930s were all official state practices that targeted specific ethnic or racial groups.

In today's political climate of colourblind racism, it is unacceptable to have a policy that explicitly targets certain groups. However, it is legal and acceptable to have a policy that—in its implementation—produces radically and racially disparate outcomes. Insofar as deportation laws are colourblind in their language, it is legally permissible that they are discriminatory in practice. It is well past time that these 1996 laws are overturned, as there can be no legitimate justification for these racially coded patterns of deportation and vulnerability.

## Shades of white: gender, race, and slavery in the Caribbean

*Both whiteness and blackness were stratified along gendered lines in the colonial-era Caribbean. Many of the norms this engendered persist.*

Cecily Jones

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Racial difference was invoked to justify the forced transportation and enslavement of an estimated thirteen million African people via the trans-Atlantic slave trade. This enduring system not only involved the deployment of racist images regarding what it meant to be black, it also required reflection on what it meant to be white. It is within this context that the valorisation of whiteness went hand in hand with the devaluation of blackness, with gender playing a key role in both sides of the equation. Rational, white masculinity came to symbolise culture and civilisation, while moral virtue, sexual piety, and physical fairness came to define the parameters of white womanhood. This image of a 'pure' white womanhood stood in sharp contrast to the supposedly grotesque sexuality, physical ugliness and excessive fertility—a metaphorical trope for Africa itself—of “hot constitutiond” African women.

These enduring images of gender and race frequently made white women into a social and political problem. Colonial slavery was not exclusively perpetrated by men. European women were also deeply implicated within its structures, both 'at home' and 'out there' in the colonies. Wealthy women made profitable investments in the apparatus of slavery, financing shipbuilding and associated slave trade industries, including the insurance and banking houses that underwrote slavery. Many, of course, owned slaves themselves. Women of the poorer classes also found opportunities for economic and social advancement in the colonies. They farmed small plots of land, ran taverns and shops, and imported consumer goods and labourers for road and bridge building works. They also worked as domestics on planta-



Linen Market, Dominica by Agostino Brunias (c. 1780). Wikimedia Commons.

tions and as itinerant traders. Colonialism created opportunities for socioeconomic advance for white women, particularly the unmarried and widowed.

### Shades of white

White women benefitted from slavery in many ways, but their presence was nonetheless understood in terms of problem and peril, both for individual white women and for the category of whiteness more generally. The sun-scorched and disease-ridden tropics were reckoned physically and psychologically intolerable for white women, especially those of genteel birth. Maria Nugent, wife of the governor general of Jamaica (1801-1805), wrote in [her journal](#) that she was disturbed by the malignant effects of climate and ‘creolisation’. Creolisation, at its most basic, refers to white people born and raised within colonial societies, and were thus neither ‘European’ nor ‘Caribbean’ in terms of their domestic and social manners. Nugent saw the torrid heat and prolonged proximity with uncivilised Africans as degrading forces to

which she attributed the disconcertingly corrupt creole drawl, debilitating languor, and self-indulgence of the local population. Intellectual barrenness made for “perfect viragos” (violent or bad-tempered women) and their slatternly domestic housekeeping rendered them poor wives, inattentive mothers, and shrewish mistresses of enslaved peoples. Neither English nor African, white creole women occupied a middle terrain of ‘Other whiteness’—one that threatened to undermine ideals of white womanhood.

Nugent’s censorious criticism of white creole women echoed colonial anxieties about the potential for the white female body to become the conduit of white racial degeneracy and imperial decline. Creole women were racialised as white—albeit a creolised whiteness—but the innate weaknesses of their female minds and bodies rendered them unreliable guardians of whiteness. They therefore stood in need of social and sexual surveillance. Women who transgressed the socio-sexual norms of colonial society risked punishment, such as social exclusion and the loss of social status.

Furthermore, while white males of all stations freely appropriated and exploited the sexuality and reproductive labour of African women, they rigorously enforced prohibitions against relationships between ‘their’ white women and all black males.

This regulation of white colonial womanhood became the essential aspect upon which whiteness would stand or fall. Sexual relations between white females and black males posed a profound threat to the racial social order. Colonial law dictated that, for unfree individuals, children followed the legal status of their mother. This ensured that African women’s bodies were the literal embodiment of unfreedom, while white wombs served as the incubators of freedom. As white males could not imagine a future population of free coloured people, they secured both their own patriarchal power *and* white supremacy through the regulation of white female sexuality.

As [Ann Stoler](#) and others have demonstrated, the question of who wedded and bedded whom was never left to chance in colonial societies. For example, seventeenth century poor laws in Barbados limited parochial relief—basic social welfare for the poor—solely to white women and men considered ‘deserving’. Poor white women who undermined the boundaries of whiteness through relationships with black men were not considered ‘deserving’. Instead, their children were removed and placed in industrial schools. The mothers themselves summarily dropped from parochial relief rolls, literally cast out of whiteness. This example points to the many layers of whiteness, which were never simply a question of skin colour but also defined through social performance. Successfully staged whiteness conferred privilege—social status and material benefits—so that even poor whites situated on the borderlands of whiteness could access social and economic privileges withheld from even free/freed blacks.

An examination of property relationships further illuminates the complexity of gendered whiteness in shaping social relations under colonial slavery. Barbadian property laws imposed informal restrictions on white women’s access to property, but all white women enjoyed the right to own and control the productive and reproductive labour of enslaved peoples. Numerous petitions from separated and divorced wives who successfully claimed custodial ownership of enslaved people held as joint marital property in Barbadian courts testify to the power of legal claims to human property.

White women in Caribbean slave societies were denied some of the freedoms enjoyed by their male counterparts, and were subject to surveillance and control. However, there is little evidence that they recognised enslaved women as sisters in subordination. Unlike some plantation women in the American South, a collective anti-slavery consciousness eluded white Caribbean women. Retaining white privilege required their racial and social alignment with white males, even though they were subordinated by ideologies and practices that



constrained their actions and regulated their sexuality. Yet, colonial authority was never so constraining as to limit entirely white women's autonomy. In their ownership of enslaved peoples white women wielded extraordinary power over the bodies of others, underscoring how images of race and gender both constrained and enabled the exercise of white privilege.

### The colonial present

The colonial past is always present in Caribbean societies. It resonates in popular images of gender, race, class and sexuality, and discrimination on all of these grounds persists. Peoples of African origin represent the majority population in most English speaking former colonies. As the late Rex Nettleford observed as a reminder of centuries of racial intermixing, “while nearly 80 percent of the population is unmistakably black some 95 percent of Jamaicans are people with some degree of African blood”. Black bodies—male and female—remain sexualised, commodified objects, subject to violent regulation across public and private spheres. The region's ‘exotic’ allure contributes to its popularity as a major destination for western tourists in search of sun, sea, and sex, giving rise to a thriving sex work industry, other types of exploitation, and what is often referred to as human trafficking.

In theory, the growth of the black middle and upper classes suggests that ‘race’ retains little salience, and commentators often claim that social class is now the dominant hierarchical principle of social organisation. The current image of the Caribbean as a non-racial multicultural cosmopolitan space—a melting pot of African, European, Indian, Syrian, Chinese and other ethnicities and cultures—sidesteps the ways in which gender, race, class, and sexuality remain intertwined. The residual social and cultural value attributed to whiteness and white culture speaks to the pervasiveness of colonial ideas about race, gender, class, and sexuality.

Whiteness continues to signal social and cultural capital to this day,

This is evidenced by the concentration of white and lighter skinned people within the elite. A rarely acknowledged but nonetheless palpable colourism means that light skin remains a key benchmark for standards of physical beauty and cultural worth. This has given rise to the ubiquitous and dangerous phenomenon of skin bleaching practised by women and men of all social classes. A celebration of whiteness and white cultural values furthermore permeates society. This informs sexual and marital choices—social mobility and capital may be acquired through ‘marrying up’—as well as notions of cultural worth. African/black derived linguistic, oral, and literary education are viewed as aberrations from normative white cultural standards, as are similarly derived family structures, religion, governance, and aesthetics. Some scholars refer to these ongoing racialised, gendered, and classed inequities as the afterlife of slavery. This shorthand describes the resilience of underlying inequalities rooted in colonial slavery and reproduced within the post-colonial societies. It is for the recognition of the long-lasting effects of racial slavery—this afterlife—that reparationists rest their case. But reparations alone cannot relieve the pains of the past. Honest conversations about how that past reproduces racial privileges in the present are also necessary for dismantling structures that reinscribe colonially-derived social inequities that rest on hierarchies of race and colour.

## Slavery's afterlife in the Euro-Mediterranean basin

*Invisible to even the most progressive Europeans, antiblackness is the foundation from which to understand the tragedies now occurring in the Mediterranean Basin.*

P. Khalil Saucier and Tryon Woods

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The tragic weekend of 18-19 April 2015, in which over 700 so-called African 'migrants' or 'refugees' [perished less than 130 miles from the Italian island of Lampedusa](#), with another 400 Africans stranded in the Mediterranean desperately awaiting rescue, repeated with violent clarity the terms of black death and suffering which continue to underwrite the modern world and the European project in particular. Lampedusa, as one of the southernmost outposts of 'Fortress Europe', has buried scores and scores of Africans in recent years as part of Europe's ongoing confrontation with the world it created through African enslavement and colonial subjection for over five centuries.

Our intervention into the debate on Europe's border policies addresses from the vantage of black political praxis the historical spectre of slavery haunting current events. Calls for action on the Mediterranean crisis frequently mobilise the discourse of slavery in various ways, but never in the way most pertinent to our contemporary situation. The most ethical assessment of the Mediterranean crisis is not in the terms of what Italian Prime Minister Matteo Renzi and many others call the 'new' or 'modern-day' slave trade, but rather in terms of racial slavery's constitutive and consolidating role in the formation and functioning of Europe and modern society itself. The Mediterranean Basin has been an *ongoing* crisis for black people for the better part of the past and present millenniums. At issue, then, is a more accurate understanding of what slavery *was* in order to grasp what it *is* today. We suggest, following the leading edge of black thought, that today's scene in the Mediterranean reveals slavery's *afterlife*.

### Slavery's afterlife

One mark of slavery's afterlife is the manner in which black suffering and death in the Mediterranean sustains and resuscitates European democratic society. Case in point is 'The Charter of Lampedusa', a document produced by activists in response to the fatal shipwreck of October 2013. The 'Charter' deploys accessible black bodies in order to illustrate the tension between good and bad Europeanness in much the same way that antiracist protests throughout Europe have affixed images of dead black bodies adrift to their placards of choice. Thus, rather than the problem of antiblackness, the 'Charter' formulates the issue at hand as an excess of Europeanness and militarism, as the barbarity of EU border controls. It becomes a means of elaborating a positive European identity, an antiracist cosmopolitan identity ostensibly attuned to all human suffering, but in reality primarily concerned to save Europe from itself, *for* Europeans. In this instance, black struggle becomes a medium for psychic transformation: in death, the Lampedusa victims enable Europeans to re-emerge as civilised, which is to say enlightened, subjects.

One recent Italian commentator compared the public stripping and high-pressure hose washing of African detainees on Lampedusa to the Italian immigrant experience on Ellis Island at the turn of the twentieth century: "although not nearly as demeaning as what the refugees in Lampedusa undergo on a regular basis, we were humiliated by, and decried, the primitive physical examinations intended to discover which infectious diseases we were carrying. Only, at the time, it was easier to be outraged as we were the victims". This effort to identify with the captive African turns in on itself because rather than feel what it means to be left to drown within sight of the European coast, over and over again, the Italian commentator instead begins to feel for himself, or for his national kin. The analogy falters across the abyss of slavery, for that is where black people were permanently imprisoned while Italians were momentarily detained at Ellis Island. In short, the antiracist is the policeman: in the attempt to counteract the indifference of European

society to the immigrant's suffering, the putative white body of the EU assumes the position of the captive black body in order to make the suffering in the Euro-Mediterranean Sea visible, legible, and coherent.

### Europe's antiblackness

Slavery's afterlife remains hidden from these very same critics of EU border policies in part because Europe's historical formation *as* anti-black is still impermissible knowledge today. Antiblack violence in the Euro-Mediterranean Basin has its roots in the earliest fifteenth century African slave trade and the subsequent 'voyages of discovery' that further established European dominance of the Mediterranean and Atlantic coasts. The Europeans were soon purchasing cotton and other commodities in India to exchange for slaves in Africa to mine gold in the Americas, swiftly yoking four continents into one global accumulation regime premised on racial violence. Enlightenment thought emerges out of this crucible to produce a humanism reliant upon the provision of a dehumanised other; that is, a body of knowledge premised on the distinction between the 'liberated' and the 'captive'—the subject and object of civilisation. In turn, what we are facing today is a new declination of an old and repressed issue that haunts and composes the European project and modernity itself: the 'human' as an all-encompassing and non-racial category for thought and practice.

Yet, once we recognise that the 'black Mediterranean' is an integral unit of analysis for understanding contemporary forms of policing Europe's borders, the cognitive model of the universal 'human' is thrown into crisis—as is antiracist discourse that revolves around issues of 'security', 'rights', 'citizenship', 'refugee status', 'democracy', 'no borders', and much more. To speak in non-racial terms of the policing of the Mediterranean, as evinced in antiracist slogans from around Europe such as "Lampedusa ist überall" (Lampedusa is everywhere) and "#IamA-Migrant", renews the suppression and quarantining of the black presence necessary for modern progress. At the same time, the important analytical work occurring today that exposes and challenges the racial

violence intrinsic to nation-states, the liberal fictions of rights and citizenship, and the contradiction in facilitating the movement of capital and commodities across borders while policing people's migrations through the same boundaries also mystifies slavery's afterlife. In other words, liberal human rights discourse *and* 'no border' discourse *both* seek the ethical recuperation of human society without recognising how the 'human' itself remains fundamentally unethical with respect to black people—in short, *antiblack*.

### Blind to anti-blackness

This antiblack blind-spot shared by liberals, humanitarians, anti-colonialists, anti-racists, and leftists of many stripes is countenanced, in part, by privileging a political economic analysis of power and policing. In the Mediterranean Basin, as with most borderlands in the contemporary post-colonial era of neoliberal globalism, a political economic analysis of policing centres around the coercive power of neoliberal projects. [Policing and related practices of 'securitisation'](#) are said to be facets of the larger mechanics of neoliberal capital's reproduction of the colonial era's global inequalities. '[The Charter of Lampedusa](#)', for example, outlines the principles underlying the struggles taking place against EU border policies (e.g. Eurosur and FRONTEX) and calls for the freedom and autonomy of all peoples regardless of citizenship status or birthplace. The charter says little about racism and nothing about antiblackness, and much of the document bears the language of political economy: inequalities, market roles, class division, outsourcing, marketisation, and predominant financial interests. This is also the lexicon of the neocolonial order, in which 'the dangerous classes' of most pressing concern to capital and the metropolitan western states are migrants from the former colonies of the global south, marshalled into global circuits of labour conscription.

Although global neoliberalism is a major factor in the problem at hand, a political economy take on the crisis in the Mediterranean would suggest that the violence that befalls Africans on the move to Europe is an

effect of their transgressive act of crossing borders. It is solely punishment for breaking the law. Such a premise guides almost every analysis of migrants and immigration. Although civil society may deem excessive the price paid for the transgression, and condemn police practices accordingly, the unstated recognition is that one precipitated the other. In this sense, the 1,500 dead in the Mediterranean Basin in the first five months of 2015—almost half as many as died in all of 2014—are thought to be no different from other border tragedies in this era of global mass migration, such as [US-Mexico](#), or even [Palestine-Israel](#).

It is a mistake to view Lampedusa in this manner, as a case of contingent violence, a punishment for a transgressive act, and hence as merely an instance of capital's and colonialism's ongoing oppressive forces. This error is enabled by confusing the empirical for the structural—or, permitting the level of lived experience to subsume the larger structure of meaning about human existence in which all full (white) humans, lesser (non-white, non-black) humans, and (black) sub-humans are positioned. In the world slavery makes, violence against the black body is gratuitous, not contingent, instrumental, or incidental: it is punishment for *being*. It is not due to colonial occupation, labour exploitation, or political repression. Gratuitous violence is the mark of the sub-human, of objectified human existence *par excellence*. The Lampedusa victims are not, nor are they thought to be, in Zygmunt Bauman's words merely "human rubbish" and "disposable humans". Rather they are held, in memoriam, in the Mediterranean's abyss of blackness; a plane of non-existence connoting a position of subjection in excess of experiences with exploitation and oppression.

The role of African enslavement in constructing the present remains stridently disavowed in contemporary social and political thought generally, and with respect to policing specifically. It requires that we approach the Mediterranean situation not simply through the lens of capital, colonialism, immigration, national border policy, or any other dimension of the political economy. The archive of black studies

presents a corrective to the poverty of these approaches. Keeping our examples within the context of European history, for instance, western culture generally beholds Nazism and fascism as anomalous and singular in its horror, as the most egregious violation of civilised society. Alternatively, the black studies archive is replete with the recognition that Europe was simply being engulfed during the Jewish Holocaust with precisely the form of genocidal power it had unleashed on non-European peoples for centuries through slavery and colonialism.

From Aime Cesaire to George L. Jackson, fascism was not understood as a rupture in western civilisation's march of progress, but rather as its logical climax, an extension of a global system rooted in self-destructive racist ideologies and violence established through the slave trade. The fascist problem, then, is the understanding that western civilization has always and already been constituted as fascist and totalitarian with respect to non-western peoples and to black people in particular. As Frantz Fanon famously noted, the Jewish Holocaust was simply a "family feud", an intramural conflict within the fold of humanity. This compares to the "structural antagonism" of enslavement, in which human beings confront their ethical dilemmas (of which the Jewish Holocaust is but one example) through the accumulation and fungibility of captive black bodies. Put differently, the Jewish Holocaust was *the* definitive ethical crisis for the modern world precisely because it revealed western civilisation to itself and required the *further* elision of black suffering (e.g., the African Holocaust) from the realm of ethics altogether. Will black struggle remain similarly quarantined from how we understand Lampedusa and the Mediterranean crisis, or will we see the situation for what it is, the latest signposts of slavery's afterlife?

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This essay extrapolates from a larger research paper: P. Khalil Saucier and Tryon P. Woods, 'Ex Aqua: The Mediterranean Basin, Africans on the Move, and the Politics of Policing', *Theoria: A Journal of Social and Political Theory* (special issue on global policing) 141, December 2014.



## The politics of slavery, racism and democracy in Mauritania

*The history of slavery is central to racism, activism, and democracy in Mauritania. Much of what happens next will reflect the decisions of former slaves.*

E. Ann McDougall

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The Islamic Republic of Mauritania officially abolished slavery in 1980-81. In 2007 the practise was criminalised, and in 2015 actual punishment for enslavement was legislated. While the Mauritanian government continues to speak of 'vestiges' of slavery, local anti-slavery activists such as [Boubacar Messaoud](#) and [Biram Dah Abeid](#) continue to insist that slavery remains alive and well. As Messaoud recently observed, why would new legislation against slavery be repeatedly necessary if there was no longer a slavery problem ?

### Racism, slavery and political activism

While Messaoud and Abeid share a common cause against slavery, they approach the issues of slavery and race in different ways. Messaoud grew up during the last years of French colonial rule (1940-50s), and much of his adult activism took place in the context of political dictatorship (1984-2005). He founded the NGO *SOS Esclaves* in 1995 in order to agitate for reform and bring international attention to slavery and discrimination against the descendants of slaves (known in Mauritania as [haratine](#)). Messaoud insists that slavery in Mauritania is not a matter of whites enslaving blacks, as it was in the United States; masters are both ethnically black (Fulani, Soninke) and white (*beidan*), 'white' being a relative term given generations of miscegenation. Thus he maintains that it is [slavery as a social institution](#) that is the key problem.

Abeid's approach places broader patterns of racism within Maurita-



Street Scene Mauritania. Geraint Rowland/Flickr. Creative Commons.

nian society at centre stage. Having grown up in the then newly independent nation of Mauritania (1960-70s), he rejects the moderation of Messaoud's generation. While he initially worked with *SOS Esclaves* between 2002 and 2008, he subsequently left to found the *Initiative pour la résurgence du mouvement abolitionniste* (IRA-Mauritania), a self-declared 'abolitionist' NGO. IRA articulates a racially-based message: "Black Mauritaniens have either been exploited as slaves or discriminated against—the most dramatic example being the [expulsion](#) of 70-80,000 (mostly Fulani) between 1989 and 1991". According to the IRA, being black should constitute a political identity.

Abeid's [most infamous act to date](#) took place in 2012, when, following Friday prayer, he burned medieval Islamic texts addressing slavery. Given that these texts are foundational to the state, the government declared this to be an 'act of treason'. He was subsequently tried but not convicted. Other acts of defiance have led to further arrests. He [currently languishes in a provincial jail](#) for leading a local protest, well-exiled from the political action in the capital of Nouakchott.

Both Messaoud and Abeid are of slave parentage, making them first-generation *haratine*. Estimates suggest that 40 percent of the population are of this status. Each has a post-secondary education, is an articulate speaker, and has an international reputation that defies enduring stereotypes regarding the limited capacities of slaves and their descendants. After all, [Abeid even ran for president in 2014!](#) However, the political fortunes of their cause are tied to the actions and outlooks of the *haratine* more broadly considered.

### **The *haratine*: slaves and their descendants**

Those who have ‘succeeded’ represent about 20 percent of Mauritania’s *haratine*. The other 80 percent constitute Mauritania’s poorest, most exploited citizens. Mostly descendants of former slaves (some claim ‘client-ship’ ancestry), they have traditionally seen themselves as extensions of former masters’ *beidan* families (*wala* in Islam). Through this affiliation they have assurances of economic security—especially land—and access to political networks. They reciprocate in numerous ways including ‘gifts’ of agricultural produce and contributions to family festivities. Religious and familial ties are strong in some instances, attenuated in others.

It is this group of slave descendants which is critical to Mauritanian democracy. At the moment it largely continues to identify with the current regime, and its votes frequently go toward candidates identified with the *beidan* culture and power structure. Haratine share their former masters’ language, music, poetry and religion, as well as actual family relations through forms of marriage. While many are attempting to use this support as leverage for their own needs, the practice does simultaneously help maintain the status quo, including *beidan* racism where it exists. However, there are dissenters, looking not for a mediated identity but some form of autonomy. This is already visible among the rural and landless, as well as the urban and jobless. Could a different form of solidarity be emerging around class, even in this post-Marxist age? Or, as Abeid advocates, will ‘being black’ trump all?

### The many faces of the *haratine*

The research I carried out with Mauritanian colleagues between 2008 and 2012 found that *haratine* saw themselves differently depending on their region of origin and their experience with colonialism. The extent to which they wanted to remain members of a particular *beidan* family varied, as did their desire to be associated with a given tribal status (traditionally, ‘warrior’ or ‘cleric’). Many simply wanted to be seen as ‘Mauritanian citizens’. The urban-rural divide also emerged as significant. *Haratine* in Nouakchott were more politically aware than those in the countryside; they were also more radical than those in smaller towns and even in the working-class port city, Nouadhibou.

In November/December 2009, we asked people who they voted for in the previous summer’s presidential elections. One of the candidates, [Messaoud Boulkheir](#), was a well-known *hratani* (sing. of *haratine*) and activist. Among *haratine* who supported him, no one identified with his social status. If they voted for him, it was because he had promised them something they needed—a school, medical clinic, road. Non-supporters commented that he had ‘not bothered’ to visit them. These reasons help explain the success of his *beidan* opponent, Mohamed Abdel Aziz, who ran as the ‘president for the poor’. Additional *haratine* support came from those who still voted traditionally, in other words in accordance with their local *beidan*. By the time we were finishing up our interviews in 2011, Abeid’s IRA activism and international [CNN journalism](#) had government administrators extremely sensitive to anything *haratine* or ‘slave’ related. Political questions were no longer permitted in our interviews.

Aziz was re-elected in the same [2014 election](#) Abeid fought unsuccessfully, with the former purportedly garnering more than 80 percent of the vote. Controversy over the legitimacy of this statistic and low voter-turnout notwithstanding, these results suggest that a majority of *haratine* still saw their interests as being best served through traditional relations with the *beidan*.

### A new form of politics?

The strongest indication that this might change is rooted neither in NGOs nor opposition political parties *per se*. The ‘Manifest for the Political, Economic and Social Rights of the Haratine’, published in April 2013, outlines the ways in which *haratine* constitute a second-class citizenry (the 20 percent or so who have achieved ‘privilege’ notwithstanding) and details the steps needed to rectify the situation. Boubacar Messaoud, one of its signatories and spokespersons, described it [in an interview](#) as a plan for moving forward that ensures a “peaceful future” for the country as a whole. It puts *haratine* rights front and centre; ‘slavery’ itself is but one of several crucial issues. Its signatories cross all segments of Mauritanian civil society, including human rights, anti-poverty, gender inequality, ethnic integration and anti-slavery groups. Thousands, including *beidan*, ethnic black Mauritians, and *haratine* from all over the country [marched](#) through the streets of Nouakchott in 2014 and 2015 to support its goals.

We are seeing a new stage in the evolution of a country emerging from slavery. There is growing recognition that real growth—be it economic, cultural, social—cannot happen when almost half the population is considered to be ‘second class’. While many *haratine* continue to hope that the status quo can be ‘adjusted’ to this reality, a newer generation, united with the more politicised of its predecessors, does not. Whether or not the momentum of the 2013 manifesto—or some new ‘Arab Spring’—will bring about a change in government by 2019, the next scheduled presidential election, remains to be seen.

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This article builds upon research conducted for a project titled [The Invisible People: a history of the haratine of Southern Morocco and Mauritania](#), funded by the Social Sciences and Humanities Research Council of Canada (2008-12).





## **Section three**

Ethnicity, belonging, and ‘modern slavery’

## A master plan for Indigenous freedom

*Andrew Forrest, the founder of the Walk Free Foundation, has written a master plan for Indigenous freedom. But who is the master and what is freedom?*

Jillian K. Marsh

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Australian mining magnate Andrew Forrest is publicly heralded as an “industry and philanthropic leader”. He is founder of the [Walk Free Foundation](#), an organisation dedicated to leading a global movement for the abolition of so-called ‘modern slavery’, a condition it defines as the inability to walk away from a situation of extreme economic exploitation and violence or its threat. Forrest is also author of the 2014 report ‘[The Forrest Review: Creating Parity](#)’. This work was commissioned by Tony Abbott, a former prime minister of Australia, and purports to offer a solution to the problem of ‘the disparity between first Australians and other Australians’.

The Forrest review provides a national master plan for tackling what it identifies as problems stemming from a cultural ethos of worklessness and a lack of achievement in mainstream education. It does not, however, seek to repair undermined communities by strengthening corporate social responsibility, decolonising the school curriculum, or upholding human rights. The report furthermore frames Indigenous peoples and cultures through a problematic lens that allows for solutions steeped in corporate arrogance and homogeneity. Responses made following the release of the report are very revealing about the kind of freedom that is valued by Australians generally, and by Forrest and his admirers.

### Bad reviews for the Forrest review

Disparity comes at enormous and ongoing costs to Indigenous Australians. They [suffer](#) from disproportionately ill-health and ongoing chal-



lenges regarding cultural recognition as citizens of Australia. Despite decades of research, policy changes, and so-called best practice standards, Australia's First Nations people continue to endure oppressive conditions in the workplace, as service recipients, and when attempting to exercise sovereign rights.

The Forrest review was criticised by the [Aboriginal Health Council of South Australia](#) for its lack of commitment to individual and community-based capacity building, and lack of evidence-based claims. Emeritus Professor Jon Altman at the Australian National University, who has in-depth expertise in Indigenous affairs, described the report as “[the most unsatisfactory review of an area of Indigenous policy I have seen](#)”. He furthermore stated in his critique that:

The Forrest Review, philosophically, blends 1961 assimilation policy ideas with 21st century neoliberalism focusing on the individual and the family as if policy can be removed from the community and society and operating on the basis of economic rationalism alone.

The review is situated amidst a national economic convergence strategy that continues to [negatively impact](#) the lives and places of Indigenous traditional owners and other First Nation Australians in a disturbing and retrospective manner, particularly where mainstream norms such as individualism are upheld as key indicators of success. It employs an official language that upholds and validates the core values of institutions currently disempowering Indigenous people. The adoption by government and industry of popular phrases such as ‘close the gap’ and the need to create ‘career pathways’ works to emphasise individual responsibility and choice. At the same time, it excuses or excludes institutional or societal-based responsibility by failing to consider the structural contexts in which choice and responsibility are exercised. Prime Minister Tony Abbott’s relationship with the First Nations people of Australia suggests that economic reform is his priority. He also

appears to regard Indigenous people living in remote homeland communities as an economically unsustainable situation that is nothing more than a burden on Australian taxpayers.

### Convergence as emancipation?

Both the Forrest review and the position of the Australian federal government suggest a strong alignment with the [convergence model](#) of addressing the legacy of slavery in the United States of America. This model, which seeks to close the gap in health, education, and business, was first utilised in the nineteenth century in response to the situation of black Americans in the post-emancipation era. Convergence includes the [sanctioning of 'human capital' as a means of profiteering and empowerment](#) by societies' wealthy and powerful, who sought to adopt an individualistic 'catching up' mechanism during the abolition of slavery to assimilate people as quickly as possible into the capitalist framework of a modern society. Simplistic constructions of race and gender ensured that white patriarchal domination remained intact despite the abolition of slavery. Convergence in the Australian context extends to the commoditisation of Indigenous cultural resources and peoples via a legal and government-regulated framework for land use negotiations that is primarily based on western values. This includes the construction of academic concepts of Indigeneity, monetary compensation as the key to negotiating the destruction or loss of access to traditional sites, and a patriarchal engagement strategy that excludes Indigenous women and women's knowledge from the impact assessment process.

The convergence model can be extremely destructive. In Australia, it disregards the dynamics of social hierarchies and the intimate connections between people and their traditional lands and waters that have existed for thousands of years in Indigenous Australian society. It further disregards the erasure of Indigenous structures and relationships that has resulted from governmental and industrial attempts to seize and maintain control of mineral and energy resources. Not

only are Indigenous Australian lands and water becoming increasingly challenged and consumed by imported ideas of power, wealth, and knowledge, so too are the values and expectations of the descendants of these places.

### **The colonial present**

Where Forrest's vision of freedom appears to be the freedom to enter the neoliberal labour market as a worker, others envisage a freedom that is linked to decolonisation. This would require reviews of the Australian constitution and the national school curriculum. The Australian constitution after more than 200 years of colonial impact fails to recognise First Nations peoples and cultures, industry successfully resists the pressure for First Nations to exercise sovereignty over their ancestral lands and waters, and governments increasingly strip traditional owners of access to and use of ancient cultural resources. At the same time, the Australian educational curriculum continues to falsely portray colonisation as a peaceful and bountiful process for all. The national psyche suggests that Australia, as a nation, remains a white society and an annexation of eighteenth-century British colonisers. This situation is reflected in the recent decision of Tony Abbott to reintroduce knighthoods—the mark of colonial royalty—while continuing to problematise Indigenous poverty as a 'lifestyle choice'. Australia's colonial shackles remain firmly in place despite growing internal as well as external pressure to come of age and be fully respectful of Indigenous peoples.

Governments and industries across Australia continue to reinforce an assimilatory approach to economic participation that is neither appropriate to First Nations in Australia nor in line with decolonising movements in other colonised countries. For Indigenous Australian peoples little has improved in the past 200 years and much of their cultural identities has been irreversibly damaged or destroyed. Mining magnates, national figureheads, and outspoken academics all openly debate the colonial legacies evident in the institutional entrenchment

of racist and colonialist ideas, practices, and policies. What remains poorly understood by successive governments and big business are the ways in which economic, social, intellectual, and political reforms can and should take place to address the huge discrepancies between quality of life, human rights, economic development, and the need for decolonisation.

The success of commercial activities billed as progress or development is often predicated on how effectively modern societies utilise and exploit resources. This is vastly different to how many Indigenous peoples, particularly traditional owners, continue to interact with their environment through a combination of both traditional and contemporary ideologies. The idea of ‘closing the gap’ is an insulting gesture that ignores the genuine efforts made to address disparity in the context of colonial legacies. Andrew Forrest’s vision of emancipation through convergence is a view of freedom that sits comfortably with his own mining interests and big business more generally. It is disturbing that, with his much publicised Walk Free Foundation, his influence in Australian politics may extend even further.

## Undermining indigenous self-determination and land access in highland Peru

*While current neoliberal privatisation laws provide for protections to indigenous lands, no formal or informal mechanisms exist for natives to actually enjoy such safeguards.*

Arthur Scarritt

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European colonial projects depended on the racialisation of native populations to maintain their economies of plunder. The belief that indigenous peoples were inherently unable to enjoy the same rights as colonists undergirded colonial civil society and legitimised, in contemporary eyes, brutal exploitation and even genocide. Europeans from Juan de Matienzo in the sixteenth century to [Mario Vargas Llosa](#) [more recently](#) have furthermore argued that these costs were worth paying, as European colonialism brought with it enlightened civilisation. The ends, they have said, justified the means.

Troubling echoes of this mentality are still apparent today, namely in the Peruvian government's approach to indigenous land rights. The current neoliberal project centres on the concept of market rule: governments must alter all goods and services so they can be traded in the global marketplace. In highland Peru, new laws enabled the marketisation of indigenous lands, explicitly promoting dispossession as the most efficient way to improve the wellbeing of all. "This model of smallholders without technology is a vicious circle of extreme poverty", [explained Peru's president Alan García](#) in 2007. "We must encourage medium-sized property, the middle class of farmers who know how to obtain resources, seek out markets and create formal jobs".

Nevertheless, Peru's recent law on land ownership, passed in 1995, paternalistically provides rights specifically for natives, the majority of smallholders, out of respect for traditions going back to "ancient

times”. Only seventeen percent of all landholdings in Peru have clear title, with the number much lower in the Andes. In order to rectify this, the new legislation allows that “under current law, the titling of the communities can take two modalities: communal or individual”. That is, the law provides for clear private titles as well as for titles based on the indigenous-associated community system, which is protected against taxation and appropriation in order to enable the poor to keep their lands as the basis of their survival. The law further holds that the lands of indigenous communities can only become private if a majority of the villagers vote in favour of privatisation (at the time of passage the proportion needed was set at two-thirds).

### Rights on paper only

I conducted a multi-year ethnographic study in the village of Huayta-bamba (all names are pseudonyms) from 1999 to 2003, where a fierce battle over privatising the lands had broken out. Located twelve twisty kilometres above the regional capital of Ayacucho in south central Peru, villagers in this Quechua-speaking community survive on less than a dollar a day. The food they eat primarily comes from their own fields. Only four families wished to privatise lands, whereas more than 30 adamantly opposed it for fear of once again becoming beholden to a draconian landed elite.

One man, Pedro, led the charge against privatisation by attempting to exercise his rights as given by the new law. However, Pedro not only discovered that the infrastructure needed for him to enjoy his rights did not exist, but also that an array of forces was actively undermining his attempts to do so. In other words, Pedro found neoliberalism reproducing colonial forms of racial domination that confined him to rightless status and allowed for the seizure of his lands.

First, the government’s ‘special land titling project’ (PETT in its Spanish acronym), which was charged with implementing the law, did not provide for the community-based option. It only supplied private ti-

titles. This was in part because PETT personnel viewed private titles as the superior option. They described these in interviews as simple resources for improving wellbeing, as they provided access to cash through loans and sales, something community-held titles did not do. They therefore saw the desire to keep the land communal as irrational.

Pedro and his allies thus turned to the second protection mechanism included in the law: the need for a majority vote. In stark contrast to national elections, which are strictly regulated so as to minimise manipulation by the powerful, PETT provided neither resources nor guidance to local communities in order to ensure the fidelity of the vote. The villagers were simply left to their own devices. Pedro saw his chance when it became his turn to act as president of the community, and he brought the issue to a vote in the village assembly. Villagers soundly defeated the issue, with over 90 percent voting against privatisation. The village elite responded with blatant disregard, and despite the fact that the vote was held in accordance with the new law they persisted in their attempts at privatisation.

Pedro and his backers attempted further votes that would more concretely solidify the popular will as the law of the village. They exacted commitments from all major regional authorities to come regulate the decision making process, including the mayor, the district governor, and a judge. Against this threat, the village privatisers launched a vicious campaign condemning such actions as external manipulation that undermined village sovereignty. That this sovereignty was based on the community government, the specific entity the privatisers sought to eliminate, was immaterial.

The actions against the district mayor were particularly vicious. The privatisers denounced the mayor, including through the Quechua language radio station, for building a school that had never seen a student because it had immediately flooded. They accused him of undertaking the project only to win votes. As one worker put it, “the mayor got

them all to vote for him and now this school is flooded”. The privatisers condemned the mayor, saying, “this is not a school; this is only a corral; you who have been a teacher and now are mayor should fix it”. While the school construction was clearly corrupt, what the privatisers conveniently overlooked was that the project was brokered locally by one of their own.

The mayor, like the other officials, did not expect such brazen hostility. They assumed their roles would be more formal and based on their authority. Thus, when they were blindsided, they quickly pulled back from their promises. On the day Pedro had scheduled external authorities to come help, he and I scoured the provincial capital to get them to make good on their promises. But we only found locked doors. These urban authorities had no institutional or legal obligation to fulfil a regulatory role, and they gladly fell back on this lest the accusations of manipulation stick on them and ruin their careers. Thus, in simply doing their job, these officials helped preserve the system in which the indigenous do not enjoy substantive rights.

### False friends

Pedro’s urban allies provided the greatest betrayal. The community faction secured village presentations from three different organisations, believing that a village vote would immediately follow based on the information provided. For instance, when Pedro and I visited the *defensoría del pueblo*, the government sponsored human rights ombudsman, the young lawyer working there explained the law in easy terms and said he would have no problem making a presentation to the village. An Ayacucho non-governmental organisation and the secretary general of the Peruvian Peasant Confederation (CCP) made similar presentations. All these organisations agreed with the majority that privatisation was against its best interests.

But these organisations—the community’s greatest urban allies—refused to help regularise the voting process. They demurred not because



of threats from the privatisers, but rather because they saw facilitating an intimidation-free vote as interfering with local self-determination. So they declined offers to help regulate a vote because they thought they were respecting village autonomy, not helping to undermine it.

Such behaviour denied the manipulative informality dominating political processes in Huaytabamba. It instead presupposed the existence of local mechanisms to guarantee a free and open vote, even though these organisations were aware that the privatisers fearlessly employed intimidation and fraud to get their way. While these organisations did not want to give the impression of manipulating the process, they did nothing to moderate the rampant coercion and therefore countenanced it through inaction. In this way, foes, friends, and all levels of government worked together to undermine the desires and rights of the indigenous villagers, and thus to give them a push down the path to dispossession.

## Adivasis in India: modern-day slaves or modern-day workers?

*India's Adivasis often work in conditions commonly described as 'modern-day slavery', but they are not slaves. Their unfreedom is both the fuel and product of modern Indian capitalism.*

Alf Gunvald Nilsen

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India occupies a distinctive position within representations of 'modern-day slavery'. According to recent indexes of global slavery produced by the Walk Free Foundation, the country's "modern day slavery problems are immense". In 2014, Walk Free proclaimed that more than 14 million people—from a population of 1.2 billion—are trapped in "all forms of modern slavery". India is consequentially regarded by Walk Free and others as [the country in the world with the highest absolute number of people living as modern-day slaves](#).

This [politics of numbers](#) is accompanied by a series of further arguments that vulnerability to modern-day slavery is higher among some groups than others. "Indians most vulnerable to modern slavery", states [the 2013 report](#), "are those from the 'lower' castes (dalits), and the indigenous communities (adivasis), especially women and children". In a similar vein, the 2014 report notes: "Evidence suggests that members of lower castes and tribes, religious minorities, and migrant workers are disproportionately affected by modern slavery".

These types of statements are heavily dependent on how the concept of slavery is defined and applied. [If we take the Walk Free Foundation's definition of modern-day slavery at face value](#), it is indeed true that India has the highest absolute number of modern-day slaves and that specific groups, such as Dalits and Adivasis, are overrepresented in their ranks. What I want to call into question, however, is precisely the claim that 'modern-day slavery' is an appropriate description of

the highly exploitative and oppressive conditions under which many poor Indians try to make a living. I want to do so with reference to India's Adivasis.

### The Adivasis

Who are India's Adivasis? Put very simply, the term Adivasi—which means original inhabitant—refers to a range of ethnic groups that predominantly inhabit hilly and forested areas across rural India. They are classified by the Indian constitution as belonging to the category of 'scheduled tribes', a designation which reflects the fact that Indian authorities do not recognise Adivasis as being indigenous people, but rather define them as 'tribal' according to a specific set of features. These include their dependence on subsistence agriculture and their distinct ethnic and cultural identity, which tends to position them beyond the pale of even the 'lowest' rungs of India's caste system. Constituting roughly eight percent of the country's population, the Adivasis are vastly overrepresented among the poor in India: [according to recent data](#), almost half of all Adivasis—some 44.7 percent—live below a very meager poverty line of 816 Rupees (£8.32/\$12.75) per month for rural households.

When perusing the Global Slavery Index, it would be very easy to conclude that ethnic otherness and abject poverty are the reasons why Adivasis are particularly vulnerable to what the Walk Free Foundation refers to as modern-day slavery. However, to think along such lines assumes that certain forms of labour are qualitatively different from 'normal' work in a capitalist economy due to the unfreedom under which they are performed. [This flawed logic](#), which underpins the modern-day slavery argument itself, further assumes that certain groups are more prone than others to engage in such labour due to forms of discrimination based on such criteria as ethnicity, gender, and caste. The problem with this logic is that [it lets capitalism off the hook](#). This is also true in terms of casting Adivasis as modern-day slaves. Why is this so?



Adivasi farmers harvest fish in 2012. WorldFish/Flickr. Creative Commons.

### The sources of poverty and vulnerability

We must begin with poverty if we are to understand why Adivasis so often work under conditions that Walk Free refers to as slavery. Adivasis are overwhelmingly poor, a fact acknowledged in the Global Slavery Index, and it is this poverty that compels Adivasis to turn to labour migration. This is often the first step to working under varying degrees of unfreedom. Let us then ask a very basic question: where does that poverty come from?

Speaking broadly there are two causes that stand out: the twin losses of livelihood and land. [Firstly, Adivasi poverty stems from the erosion of their agricultural livelihoods.](#) Historically, the core of tribal livelihoods is subsistence cultivation, which is now rarely capable of sustaining a household for a full year. While some aspects of this situation are specific to Adivasi livelihoods, this state of affairs is symptomatic of [a larger crisis of small and marginal agriculturalists in the context of neoliberal reform in India.](#) This crisis is most acutely manifest in the

quarter of a million farmers who committed suicide in India between 1995 and 2011, due to severe economic distress.

In addition, many Adivasis who have turned to labour migration have been dispossessed of their land due to the construction of the large dams, industrial plants, and mines that are intended to bolster India's emergence as an economic superpower. Let's recall the figures for a moment: Adivasis constitute eight percent of India's population. However, even conservative estimates suggest they also constitute 40 to 50 percent of the 20 to 30 million people who have been dispossessed by large-scale infrastructure and development projects since independence in 1947. Given that policies for resettlement and rehabilitation have been woefully inadequate, the vast majority of those who have been dispossessed have no other choice than labour migration—and whatever work can be found within migration circuits—in order to survive. In other words, the poverty that compels Adivasis to resort to forms of labour that are profoundly unfree is produced by the fundamental workings of Indian capitalism.

In describing the kinds of labour which constitute modern-day slavery for India's Adivasis, among others, the 2013 Global Slavery Index says the following: "Internally trafficked men, women and children make up significant shares of the workforce in construction, textiles, brick making, mines, fish and prawn processing and hospitality". If we disregard for a moment the use of the deeply problematic term "trafficking" in relation to labour migration in India, this statement does point to an important fact—namely that when poor people in India migrate for work, their destination is most commonly the so-called 'informal economy'. This is an area that accounts for 94 percent of the Indian workforce. It is a realm in which the vast majority of workers face low wages, long working hours, an abysmal lack of social protection, and working conditions which entail varying degrees of unfreedom. Crucially, it is deeply entwined with India's formal economy by providing labour, goods and services at fire sale prices.

Put more directly: the poverty that compels Adivasis and others to work under abysmal conditions helps fuel a growth process that—as [David Cameron put it during an Indo-British business event in Mumbai in 2013](#)—will make India the world's third largest economy by 2030. This means that when we discover Adivasis working under conditions of unfreedom, we are not seeing modern-day slaves. We are instead being confronted with modern-day workers and modern-day Indian capitalism. This in turn has ramifications for how we think about political solutions to this problem.

When the Walk Free Foundation talks about measures to curb the kind of working conditions that they define as 'modern-day slavery', they generally refer to legislation against child labour, sex work, trafficking and bonded labour. The basic model here involves punitive measures against illegal forms of work. However, no amount of punishment will reverse the crisis in India's countryside or drive up wages and improve working conditions for Adivasis who toil in the informal sector—goals which would make a genuine contribution towards eradicating the forms of labour that are mistakenly labeled modern-day slavery. However, to do so would entail [making common cause with poor and marginal farmers for an alternative agricultural policy](#) that would protect them from the vagaries of market forces and reverse ongoing ecological degradation. Moreover, it would entail joining hands with activists who are struggling against [the attempts of the current government to dilute progressive legislation on land rights, resettlement and rehabilitation](#). And it would entail collabourating with [innovative unions that champion the welfare rights of workers in India's informal sector](#). The fact that the policy prescriptions offered by Walk Free don't even touch on such measures is only a testimony to the organisation's utter irrelevance to modern-day workers in modern-day India.

## The hidden injuries of caste: south Indian tea workers and economic crisis

*Economic crisis has forced Indian tea workers to seek employment outside the plantations, forcing them to re-engage with the caste hierarchy from which their ancestors attempted to escape.*

Jayaseelan Raj

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Tea plantation workers are one of the most stigmatised and marginalised communities in India. While the majority of workers on the plantations in the northeast were originally brought from Bihar, Orissa and Nepal, Tamil-speaking Dalits (so-called untouchables/outcasts) constituted majority of the labour force in Kerala, south India. Their outcast social status has combined with their identities as manual labourers—also known as Tamil coolies—to perpetuate their economic underdevelopment and social marginality. Although Kerala has undertaken many reforms to address marginalised populations, those who entered into the indentured plantation labour system have remained excluded and marginalised from Indian society as a whole.

On plantations themselves, however, the picture is more complicated. Until recently, plantations operated as semi-autonomous socio-economic systems that were largely separate from the wider economic and cultural contexts in which they operated. This isolation afforded tea workers some protection from direct, daily exposure to stigma and discrimination on the basis of caste. Plantation workers, after years of struggle, were even provided with certain welfare measures such as housing and healthcare. Such privileges are not enjoyed by informal sector workers, even those who belong to less stigmatised and excluded groups, and access to these rights gave tea workers a sense of worth within the plantation system.

### **Caste and crisis: isolated no more**

Indian tea production has been in severe crisis since mid nineties largely due to neo-liberal structural adjustments in the Indian economy. The size of the tea industry, which is second only to China and accounts for 25 percent of global tea production, has made this a huge blow to the country's agrarian economy. The industry employs 1.26 million people on tea plantations and two million additional people indirectly. As such, the economic crisis has had an enormous impact on the lives of local residents. In Kerala where I have been conducting research, there have been eight cases of suicide and twelve deaths due to starvation on tea plantations since 2001. Along with utter poverty and famine, tea plantation workers have faced increasingly unhygienic work environments, shattered social life/community relations, and withdrawal of the welfare measures previously enjoyed.

The crisis punctured the isolated environments of the plantations and precipitated neoliberal reforms that closed down production in many areas either partially or completely. While many families remained on the plantations, large numbers of workers who had lived there for more than five generations were now compelled to seek work outside. Some went with their families to either their ancestral villages or regional industrial townships such as Coimbatore and Tirupur in Tamil Nadu.

These plantation workers have now joined the ranks of the massive Dalit workforce powering India's unorganised and informal sectors. In joining that pool of workers, Tamil Dalit labourers are exposed to aspects of a caste-ridden society from which they had previously been shielded. The situation of Saraswathi, a female retired worker in her early sixties, illustrates the dilemma and struggles of the workers who moved out the plantations.

Saraswathi moved to her ancestral village in southern Tamil Nadu in the wake of the crisis. In the village, the 'untouchable' Dalits do not have the right to sit inside the teashop and drink tea nor do they have





Tea pickers in Munnar, India. Jon Brew/Flickr. Creative Commons.

the right to drink tea in a glass cup (*kuppi glass*). The Dalits have to stand outside the teashop and have to drink either from a coconut shell or a steel cup depending upon the availability. Having always lived on a plantation where job title rather than caste identity was more significant in shaping social relations, Saraswathi and her family were not used to these explicit everyday forms of untouchability rooted in the ritual aspects of the caste system. They had grown up enjoying the relatively egalitarian social relations that existed on plantations, where the caste status did not necessarily yield more power to the higher castes. The caste humiliation they experienced in Kallupetti was thus intense. In other words, the economic crisis and consequent denial of livelihood forced plantation Tamil Dalits to return to the caste atrocities from which their forebears had escaped by migrating to the plantations.

Saraswathi couldn't conceal her caste identity in the village where everybody knows each other. For Gokul, a 27-year-old tea plantation worker who migrated to the bustling city of Chennai, the story has

been different. Gokul found a job in the biggest retail shop in Chennai as a sales boy in the bags section. To do this Gokul disguised his caste, introducing himself as a Christian and refusing to answer any questions that would reveal his real caste identity. Since Gokul presented himself as a Christian, the owner of the shop might have thought that he was from Nadar caste (there is a significant percentage of Christians among the Kerala Nadars, unlike their counterparts in Tamil Nadu). Gokul reported that the owner and other staff in the shop always spoke highly of their own caste yet used degrading racial slurs against the other lower castes in Gokul's presence, as if Gokul shared such attitudes. His projection of an alternative identity to hide his Dalit identity, as I understood from observing and talking to him, was necessary for him to avoid what he said were "certain unnecessary experiences in the workplace".

The urban migration of youth can be seen as a step towards upward social mobility. However migration and settlement can, at the same time, reassert a stigmatised identity and thwart ambitions of social advancement. Using other identities as a mask (as a way to "pass" in Gokul's words) echoes the situation of blacks in colonial-racial contexts, discussed by Frantz Fanon in *Black Skins, White Masks*. Fanon proposed a radical denial of oneself (self-alienation) as a way to escape racial discrimination and oppression. In the Indian context, the plantation Dalits are forced to become other than themselves in order to make their way through the system. For tea workers, caste—both as an identity and as a relational organising principle—has been revitalised by processes of neoliberal economic reform.

## Warehousing Palestine

*The Israeli state 'warehouses' Palestinians in Gaza for many of the same reasons that the United States has historically incarcerated a disproportionate amount of African Americans.*

Teodora Todorova

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In her seminal book, *The Shock Doctrine*, Naomi Klein described the geopolitical situation in Israel and the Occupied Palestinian Territories as “a warning to the world”. This warning was of a creeping “disaster apartheid” characterised by safe “green zones” which look like Israel, and militarised, disaster-stricken “red zones” which look like Gaza. When Klein wrote *The Shock Doctrine* in 2007, Israel had just pulled out its ground troops and settlers from Gaza following Hamas’ election to the Palestinian Authority in 2006. The land, air, and sea [blockade](#) of the densely populated Gaza Strip, which is home to [1.8 million Palestinians](#), 80 percent of whom are registered [refugees](#), had just begun. Since 2006, Gaza has suffered [four large-scale military attacks](#), leaving thousands dead, many more thousands injured, bereaved, and destitute. In 2009, Israel’s [Operation Cast Lead](#) destroyed 80 percent of the Gaza Strip’s civilian infrastructure. Reconstruction, largely paid for by [EU and US aid](#), has been [difficult and slow](#), as each subsequent military attack has put waste to previous effort.

The World Bank announced on 22 May 2015 that Gaza’s economy was [on the verge of collapse](#), with 43 percent of residents unemployed and 40 percent of Gaza’s population considered living [below the poverty line](#). What makes the situation even more desperate is that 44 percent of Gaza’s population is [under the age of 14](#). The situation is worsening, and with Gaza’s borders closed to trade and population movement heavily restricted increasing numbers of people are attempting [perilous journeys across the Mediterranean](#). On the other side they find themselves face to face with Europe’s unwelcoming borders.

Israel's economy, on the other hand, has steadily grown since 2006 and Israel is ranked in the [top 30](#) countries according to GDP per capita. The Israeli state enjoys [unrestricted access](#) to European markets, and Israeli universities participate [on par with European institutions](#) in EU research council initiatives, while Palestinian academics and students face onerous [restrictions](#) on their movement. While most Europeans recall an image of a disaster stricken war zone when Gaza is mentioned, Israel conjures up images of a [tourist heaven](#), holy sites, golden beaches, and bronzed party lovers.

What warning does Gaza hold for us? The Israeli academic and activist Jeff Halper describes the situation as 'warehousing,' a term commonly associated with the US's [disproportionate incarceration](#) of African Americans ever since the abolition of slavery, and in spite of calls for civil rights. Warehousing refers to a geopolitical situation in which an unwanted population is considered 'surplus' to requirement and is even viewed as a threat to resource distribution. Short of all-out-genocide in response to the 'unwanted', warehousing has become a legitimate means by which racialised regimes of governance control and immobilise unwanted populations. Those warehoused remain out of sight, out of mind until they start to [protest](#) or fight back, which turns them into legitimate targets for [violent repression](#).

Gaza stands as a painful testament to transnational warehousing strategies. In 2012 it came to light that the Israeli military administration had put the residents of Gaza '[on a diet](#)' between 2007 and 2010, a euphemism for restricting caloric intake while keeping the nutritional situation in Gaza from being declared 'a humanitarian disaster'. This programme, which ran contrary to the international legal and [humanitarian](#) obligations of an occupying power—the Gaza Strip remains under Israeli occupation despite the latter's withdrawal of troops in 2007, for reasons explained by [Noura Ereket](#) and [Lisa Hajjar](#) at *Jadaliyya*—was facilitated by the strategic deployment of double-speak. Each military operation has been described as a 'war', and yet Gaza is

not a state, and there is no independent Palestinian state in 2015. The Palestinians in the Gaza Strip, West Bank and Israel are severed from each other by Israel's complex [matrix of control](#) which restricts population movement and discourages family reunifications. Israel's [settlement expansion](#) into occupied Palestinian land is further ensuring that a legal and just solution is an ever distant prospect. In such a situation, warehousing, and the political and military violence characterising it, becomes the norm. But the cost of warehousing can only be borne out if the humanity of the warehoused is denied, and it begs the question of whether it is possible to [remain human](#) when one's wellbeing requires the permanent dehumanisation of others?

While I would caution against simplistic comparisons between the Palestinian and African American struggles for freedom and justice—one rooted in a history of settler colonialism, and the other in the legacy of the transatlantic slave trade—it is worth noting that the Israeli state is fond of borrowing tactics from the US as it attempts to 'manage' unwanted Palestinians. 'Warehousing' has become a globalised tactic of the transnational prison-industrial complex. It is furthermore a prime example of a racialised governance system that seeks the total control over a population deemed not entitled to, and incapable of, exercising freedom. As Dylan Rodríguez elucidates in his article on the logic of the US prison system, the 'racial chattel logic' characterising the contemporary prison has a long history in ethno-supremacist state-building; 'warehousing' as Klein's warning of a creeping "disaster apartheid".

## Why Roma migrate

*Almost all central and east European Roma migrants to western Europe are not trafficked. They seek work opportunities denied at home and escape from racist discrimination that perpetuates their marginalisation.*

Will Guy

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The arrival of large numbers of mainly Romanian Roma in Italy and France after Romania and Bulgaria became EU member states in 2007 triggered furious political and media reaction. In Italy this migration resulted in inter-communal clashes, the bulldozing of shantytowns on the periphery of Italian cities, and the proclamation of an emergency decree by Romano Prodi, Italy's prime minister at the time. In France it led to a heated row between France's former president Nicolas Sarkozy and Viviane Reding, then vice president and commissioner of justice, fundamental rights and citizenship at the European Commission (EC). This was an unprecedented confrontation between an EU founding member and the EC.

Sarkozy accused the Romanian authorities of turning a blind eye to 'trafficking' while Reding criticised French plans to expel Roma migrants as violating the fundamental right of EU citizens to freedom of movement. Research among Roma migrants by French NGOs found that the vast majority were not 'trafficked' but had come to France voluntarily.

Sarkozy is not the only politician to suggest that Roma migration is associated with 'trafficking'. Similar allegations have been made in Canada, Italy, Finland and elsewhere. And yet, on the whole, Roma from central and eastern European (CEE) countries have adopted the same strategy as large numbers of their non-Roma fellow citizens in migrating to western Europe in search of better work opportunities. Bulgaria—the EU's poorest state—is the most extreme case. It [witnessed](#) the

emigration of 10 percent of the economically active population and an overall population loss of 18 percent between 1992 and 2012.

### Reasons for emigration

Emigration appeals to CEE Roma because many of their marginalised communities suffer deep structural poverty. Detailed and disturbing studies by the Fundamental Rights Agency (FRA), UNDP and World Bank (e.g. on [housing](#) and [health](#)) reveal continued discrimination and deteriorating conditions in Roma employment, living conditions and health. In 2011 about 90 percent of Roma surveyed in CEE and other countries had an income below the national poverty threshold and about 40 percent of the children lived in households struggling with malnutrition or hunger. Over half of those [surveyed](#) lived in segregated areas in dwellings falling far below minimum housing standards. A [2009 FRA report](#) concluded that “poverty and racism are the main factors ‘pushing’ Roma to leave their countries of origin”.

While some Roma may have been coerced into migrating and then exploited in their destination countries, a [2009 study](#) argued that this was not true of the vast majority of CEE Roma migrants to western Europe. When and where exploitation occurred, regardless of whether or not it was preceded by coerced movement, did not differ qualitatively from practices involving non-Roma groups. Nevertheless the study found that Roma are more vulnerable than others to such abuse.

Since 2007 a significant factor driving Roma migration has been a [dramatic increase in hate crimes and speech](#) in parts of Europe. Although Roma are not the only victims they are the main target in CEE countries. The most extreme example is that of Hungary. In 2007 a mere 24 Hungarian Roma sought asylum in Canada. However, that number jumped to 1,990 in 2011 in response to a series of murders, assaults, and media attacks targeting Roma communities.

Mainstream politicians frequently tap into the ugly phenomenon of

racial hatred in order to win votes, cynically exploiting the space created by the racist discourse of extremists. While generally more cautious with their words, these politicians nevertheless convey similar messages in coded form, such as alleging damage to the economy caused by welfare dependency. For example, in 2012 the Czech prime minister [declared](#) that “the state does not help scroungers who abuse benefits”. But even mainstream politicians can be brutally outspoken. A former Czech mayor was elected to the senate after evicting Roma families from his town, proudly describing this as ‘the removal of an ulcer’. He went on to become deputy prime minister and, having built a political career on racially abusing Roma, was later elected chair of the senate subcommittee on human rights and equal opportunities.

### History of persecution

Hostility to Roma is nothing new. Since their arrival in Europe from India via the Near East over six centuries ago they have suffered persecution and discrimination. Some smaller groups migrated to north-west Europe and many of their descendants have remained largely nomadic. In spite of their contributions to local economies they have been regarded as unproductive and unwanted vagrants. In CEE countries the experience of Roma was quite different. They were made to settle in the region and were forcibly exploited for their labour power. In Romania their enslavement lasted more than 300 years, ending only in the mid-nineteenth century. The Romanian sociologist Nicolae Gheorghe—himself a descendant of Roma slaves—wrote that this determined their identity to the extent that “*țigani* [Gypsy] in the Romanian language was equivalent with *rôb* [slave]”. They were divided into house and field slaves, much as in the slave-owning states of North America, and were clearly identified by their brown skins as a distinct and stigmatised caste.

Most CEE Roma lived a pariah existence in segregated rural settlements or urban ghettos up until the second world war. However, the newly-established CEE communist regimes saw them as potential



workers for their labour-hungry command economies. Roma were recruited mainly as unskilled workers but after 1989 became victims of post-communist economic restructuring. They were the first to lose their jobs and the last to be reemployed, resulting in many families quickly becoming dependent on welfare benefits. This fuelled mounting resentment in majority populations who saw Roma as work-shy and also believed they had been unfairly favoured during the communist era. Neo-Nazi groups soon emerged with Roma as a principal target of their verbal and physical attacks, and several Roma were murdered during this period.

### Reluctant inclusion

Continuing marginalisation of Roma populations posed an awkward challenge for EU enlargement from the outset, since one criterion for membership was 'respect for minorities'. In spite of EC-assisted projects promoting Roma integration in candidate countries, the situation of their respective Roma communities had barely improved by the time of their accession. Subsequent large-scale migration of Roma from new to established member states sharply increased pressure on the EU to find a solution.

In response the EC required all member states to prepare national Roma integration strategies, supported by EU structural funds. The goal is to improve Roma inclusion by 2020 by offering them a better future in their home countries. However the austerity climate following the financial meltdown of 2007-2008 presents a difficult environment for social inclusion initiatives. It is not hard to see why the massive expenditure necessary to improve the situation of Roma would be hard to sell to generally hostile majority populations at a time of widespread economic hardship. This partly explains the [extremely limited use](#) of available EU funding to benefit Roma by CEE countries, especially since states are required to make a contribution. Unsurprisingly some activists report that remittances from migrants working in western Europe have done far more to transform Roma communities in Romania

than any EU-funded integration project. With a few exceptions, the political will to take such measures has always been in short supply among CEE national leaders. The EC furthermore has limited leverage in confronting such politicians since they are members of the European Council—the most powerful body in the EU.

The politicians of western Europe often criticise CEE governments for not stemming Roma emigration but fail to acknowledge the degree of continuing racism in the region at all levels. Hypocritically they also fail take action to counter racist discrimination towards Roma, gypsies and travellers in their own countries.

## Capitalist dispossession and new justifications of slavery

*Discussions of migration are becoming increasingly dystopian. Based upon either exclusion or exploitation, new neoliberal arguments for open borders are not about freedom, but institutionalised domination.*

Gurminder K. Bhambra and John Holmwood

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The plight of migrants crossing the Mediterranean to seek entry to the European Union raises profound issues for western democracies and their responsibilities for those beyond their contemporary borders. The current response of governments is that maintenance of a 'European model' of welfare requires strictly policed borders and populations, as well as military action against the 'business model' of those they are pleased to call 'traffickers'. We suggest a different way of defending welfare regimes and addressing the legitimate claims of the world's poor through an alternative global social democracy based upon reparations and a collective concept of freedom.

### A modest proposal?

The current official EU response [invokes the language of 'anti-slavery'](#), but directs it against migrants fleeing poverty and civil disruption caused by war and other acts of oppression. However, a new 'economic' argument has entered the debate. Recently put forward by Chicago University law professor Eric Posner and economist Glen Weyl, and pitched to the World Bank, this is a ['pro-slavery' argument](#) for the free movement of unfree labour. An echo of their argument is heard in the suggestion by Italian interior minister, Angelino Alfano, that migrants should be [made to work for free](#).

Posner and Weyl argue that attempts to address inequality within nation-states do nothing to alleviate global inequality. This is because of a perceived need for closed borders, which are assumed to shield

domestic labour markets and welfare budgets from the competition and claims of the migrant poor (notwithstanding that migrant consumption of welfare benefits is greatly overstated). Yet, they argue, it is precisely the movement of poor people from the global south to the global north, together with the sending of remittances back to the global South, that will do most to reduce global inequality (even if inequality rises within the national welfare states of the global north).

They are conscious that ‘open borders’ would need to be sold to populations and politicians in the global north. Their solution—and this is no Jonathan Swift-style satire—is a rigorous ‘othering’ of migrants, to create what they explicitly describe as a *caste* system. [Their model is Qatar](#) where migration by co-religionists of the majority population is discouraged in order to reduce the development of solidarities between local populations and migrant workers. ‘Belonging’ is a privilege of local citizens; migrants are displaced from where they belong and are to be offered no recognition in the places to which they move.

At the same time, Posner and Weyl suggest that migrants should be paid significantly lower wages than those typical of even low-paid workers in the host society. They must also be deprived of rights to organise and protest, and are to be delivered into a strict subordination to employers as indentured labour. While the exploitation of indentured labour will be to the benefit of employers (and some consumers) in the global north, they claim that it will also be to the betterment of indentured labourers themselves, who are escaping the worse conditions they otherwise face ‘at home’.

### If only they weren’t serious

The idea of the ‘betterment’ of indentured labourers and those they have left behind, however, depends on the idea that the global north bears no responsibility for the conditions found in the global south. It furthermore relies on the notion that, however constrained, indentured labour represents a ‘choice’. At what point does ‘indentured

labour' become so constrained that it represents enslavement? In a separate piece, Weyl argues that the forced transport of enslaved Africans to the US brought about an improvement in the circumstances of African Americans, when compared to those that remained in Africa. At the same time, he describes systematic racism as the way in which this beneficial outcome was achieved.

However distasteful, this is a simple utilitarian argument for the efficiency of free trade. What should be clear, however, is that for Posner and Weyl, freedom of trade is on only one side of the capital/labour relation. Global capital is allowed unregulated free movement, while free movement of labour is to be severely regulated. Domestic capital should be free to exploit indentured labour, while migrant labour should be policed and prevented from claiming rights enjoyed by other citizens (though it is unlikely that local populations in the global north could be insulated from the effects of divided citizenship and merely enjoy the fruits of the indentured labour in the form of cheap services).

Like other advocates of free markets, they are doubtful that alternative models of alleviating poverty, such as foreign aid, can ever overcome the corruption of governments (though they endorse private philanthropy). What they ignore, however, is that corruption is very much a product of the free movement of capital that they endorse. 'Payoffs' to local elites for access to land, minerals, and fuels are, almost always, cheaper than properly compensating those dispossessed by that access. If there is any 'business model' that public policy should disrupt, it is this one.

Posner and Weyl furthermore fail to address the fact that while efficiency gains accrue to a tiny minority of the world's population, all 'rational' individuals are enjoined to accept their necessity. They thus argue strongly for market freedom of individuals based on private property, yet do not interrogate how asymmetrical possession of private property itself derives from systematic dispossession. In other

words, they do not (or choose not to) see how the accumulation of private property is based on land grabs, enclosures, displacement of local systems of subsistence, and access to mineral extraction through corrupt contracts with local elites. It is dispossession that produces the conditions of impoverishment that make indentured labour a 'choice' preferable to starvation.

### Reparations in the service of global social justice

Why should public policy support the individual rights of the few over the collective rights of the many? Why should individual rights provide returns to owners of private property while no compensation is offered for the concomitant loss of collective rights? Back in the eighteenth century, Thomas Paine wrote in *Agrarian Justice* of the need to provide *reparation* for the loss of concrete and specific rights by agricultural workers following the enclosure movement that drove them off the land (in turn, for some to migrate to settle supposedly 'virgin' lands and dispossess indigenous populations elsewhere). Paine's argument remains urgent in the present as an argument for global social justice. It is one that is potentially transformative in the current debate about migration.

Current EU policy towards migration seeks to establish a hostile environment to discourage migration, while the free market option is based on unfree labour. Yet it is possible to envision a different way forward that addresses the conditions from which migrants seek respite. This would involve transfers from the global north to the global south, but they are not well-described as foreign *aid*. In contrast, they should be described as *reparations* that compensate for past dispossession (through colonial appropriation and enslavement) and that ensure compensation and proper participation in decisions about current appropriation.

A new initiative that is arguing for global social justice on this basis is the Caribbean reparations movement. The Caribbean Community

and Common Market (CARICOM) has established a [reparations commission](#) to design a development agenda for the region based on the redress of historical wrongs associated with colonialism, enslavement, and dispossession. The arguments for reparatory justice are codified in a 10-point plan that includes addressing the public health crisis and combatting illiteracy. Reparations are to enable a social democratic solution to the problems continuing from the legacies of colonialism, enslavement, and dispossession.

Once aid is re-described as reparation, it is evident that the UN Millennium goal of [rich countries contributing 0.7 percent of their GDP](#)—a goal that few meet—is scandalously low in relation to the benefits they derive from the past appropriation of resources from other countries. The problem is not that social rights (embedded in the welfare states of the global north) are an obstacle to market solutions to global inequality, but that the market itself is an obstacle to the internationalisation of social rights and democratic accountability.

Now that the language of anti-slavery is used to target the trafficking of migrants, it is time that the plight of migrants themselves, and their rights, become the focus of political attention. We are at a moment when a new slavery is being argued under the guise of a liberal realism. We should be aware that its realism derives from the defence of privilege and not from concern for the global poor.

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Note: As well as the op-ed piece with Posner, Weyl has written '[The Openness-Equality Trade-Off in Global Redistribution](#)', a lengthy paper on the topic. The argument endorsing slavery is made on page 29 and illustrated through the case of slavery in the US on page 32.







## **Section four**

Legacies and memories of slavery

## RasTafari and reparation time

*RasTafari reject the clear-cut distinction between 'old' and 'new' slavery put forward by 'white abolitionism', as this only gives absolution to formally slave-trading European publics where there should be none. They demand reparations because justice has not yet been served.*

Robbie Shilliam

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Last March, *Al Jazeera* aired a [debate](#) on the case for reparations currently being pursued against European governments by the Caribbean Community (CARICOM), an inter-governmental organisation and economic union of 15 Caribbean states. Kevin Bales, one of the most influential intellectuals of the 'new slavery' thesis, confirmed the numerous legacies of 'old slavery' on the programme, including contemporary racism, and supported the case put forward by the regional organisation. He did, though, state one proviso: "my only concerns are of course about the people who are in slavery today... if we have a smaller pie I want to make sure that we first serve those people who are in modern forms of slavery. [Those] who are needing both liberation, reintegration and often restitution to make new lives, as opposed to focusing on the past".



Photo by author.

Five months later, on 1 August 2014, 5000-6000 people of predominantly African descent [marched from Windrush Square, Brixton to Downing Street, London](#) to demand [reparations](#), delivering a petition of over 65,000 signatures that stated:

The lack of accountability by those responsible confirms the ongoing racism which creates disproportionate detriment to the offspring of the millions of individuals that were stolen from Afrika ... Today the offspring of the stolen Afrikans encounter direct and indirect racial discrimination daily. This results in poverty, lack of education, unemployment, imprisonment and ill health.

[RasTafari Movement UK](#) organised the march, along with active support from a number of other Pan-African organisations, and its members featured heavily in the demonstration. Most who took part in the reparations march would probably disagree with Bales' prioritisation of "new" slavery, and especially the peculiar time limit he gave to the moral weight of restitution for past wrongs.

The reparations march deliberately coincided with the 180th anniversary of the emancipation of the British Caribbean, which took place on 1 August 1834. Even though the Jamaican government discontinued Emancipation Day commemorations after it gained independence from Great Britain in 1962, the RasTafari movement and others continued to commemorate 1 August. Their logic was this: who in their right mind would celebrate their political independence if they had yet to be fully emancipated? The march on parliament last summer was guided by the same reasoning.

To understand this logic, it is important to highlight a distinction between the sense of time that emanates from a moral philosophy that I would term '[white abolitionism](#)' and the temporal sensibilities that are fundamental to [RasTafari philosophy](#) (as well as much Black liberation

thought in general). White abolitionism sees time as linear, delineating between the legal end of the 'old' stage of slavery and the beginning of the 'new' stage of freedom. In this new beginning, 'old' slaveholding constituents become magically transformed into 'new' humanitarians, who disavow moral accountability for the fate of the once enslaved but now formally 'free'. In doing so, they turn their moral compass to new horizons of oppression and injustice wherein they can claim status as innocent interveners.

RasTafari philosophy sees time differently. Rather than a succession of linear stages, time is redemptive and comprised fundamentally of a struggle between the forces of Babylon and Africa-Zion. The [Baby-lonian system](#) destroys natural forces, pollutes and enslaves the body, mind and spirit, and reproduces inequality in the pursuit of profiting at the expense of others. But unlike the linear time of white abolitionism, for RasTafari Babylon manifests time and time again—in the Atlantic slave system, in Mussolini's Fascist Italy (and the Papacy), and in the present '[shit-stem](#)' of global capitalism. Hence for RasTafari the past of slavery is not behind us. It is with us. The struggles of the ancestors must be redeemed because their suffering manifests in the conditions presently experienced by their descendants.

In "chanting down Babylon", RasTafari know that fickle western humanitarianism will not save them; they must save themselves. The self-repair of a community brought together by a shared fate spans social, psychological, spiritual, and economic factors far exceeding the strictly juridical cornerstone of White abolitionism. This is why the cornerstone of reparations for RasTafari is their demand for repatriation to the African continent.

For some observers such a desire for African redemption is romantic and politically naïve. However, in terms of moral philosophy RasTafari consider it natural justice, as it undertakes a full repair of the breach to humanity caused by the trafficking of humans across the oceans as

super-exploitable chattel. Moreover, there are also plenty of socially and politically astute RasTafari organisations that work at local and global levels to develop repatriation projects. [Afrika Hall](#), for example, enjoys UN consultative status and is presently involved in scoping out the Akuapem eco-village project in Ghana. It should be noted that political projects undertaken by RasTafari from the continent, especially in South Africa, are increasingly interfacing and interacting with the Diasporic reparations movement.

The moral compass of repatriation was calibrated with an Afri-centric interpretation of the Bible narrative, revealing a redemptive prophecy that is best expressed in Psalms 68:31: “Princes shall come out of Egypt [the lands of enslavement], [Ethiopia \[enslaved Africans\] shall soon stretch forth her hands unto God<sup>14</sup>](#)”. For RasTafari, this prophesy was given political urgency by [Marcus Garvey's](#) early twentieth century call for [African redemption](#). It became manifest with the [coronation in 1930 of Ras Tafari](#) as Haile Selassie I, Emperor of Ethiopia. Twelve years later, in 1948, it was given a discrete set of geographical coordinates when Selassie I gifted 5 *gashas* of crown land at Shashemene to the African Diaspora, in recognition of their [support for Ethiopia](#) during the Italian occupation of 1935-1941.

In 1955, the administration of the Shashemene land grant was included within the [Ethiopian World Federation](#) (EWF), an organisation that began in Harlem in response to the Italian invasion. There remains today a strong RasTafari settlement in Shashemene. [The local EWF chapter is presently lobbying the Ethiopian government to recognise once again the legality of the land grant](#), which was decimated by the communist Dergue regime's (1974-1987) land nationalisation programme. The land question is heavily implicated in demands for Ethiopian citizenship, as many RasTafari inhabitants of Shashemene (including children) are effectively stateless, holding no passport, with very limited access to rights and justice.



Photo by author.

RasTafari organised and marched on 1 August 2014 because the system that produced the ‘old’ slavery still exists. It continues to exert a detrimental effect on descendants of enslaved Africans, as well as their relatives on the continent. For RasTafari it makes no sense to talk of old or new slavery. The Babylon system iterates and mutates and must be chanted down in all its forms. Kevin Bales needs to change his moral philosophy. There is no time limit to the moral injunction on reparations. In comparison to the un-accountability of white abolitionism, the RasTafari movement argues that there is an on-going spiritual and physical war between Babylon and Africa-Zion. Thus, reparation time is now. This is the sentiment of the chant we sounded out on the lawns in front of parliament:

*400 years in a Babylon, 400 years.*

*400 years in a Babylon, 400 years.*

*And I and I never yet cease the fire till Babylon walls burn down.*

## Is memory enough? Remembering the racial legacies of slavery in France today

*France is the only European slave-trading nation to legally recognise slavery and the slave trade as crimes against humanity, but questions of racial discrimination and colonial exploitation remain unresolved.*

Nicola Frith and Kate Hodgson

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Europe's role in slavery and the slave trade has long been a highly contentious subject, raising all kinds of issues that many in Europe would rather forget or ignore. However, this longstanding reluctance to talk about slavery and its legacies has been challenged in recent years by a frenzy of memorial activity that, on the surface at least, suggests a shared desire to confront the crimes of history. Despite these recent and ongoing efforts, there remains a widespread failure to engage with the ways in which past abuses are reflected in present problems, most notably racial discrimination and all of its attendant socio-economic and political implications.

The past seems to echo in the present on a daily basis, bringing with it reminders of unresolved social tensions that are rooted in the history of slavery and colonial rule. Even though France is the only European slave-trading nation to legally recognise slavery and the slave trade as crimes against humanity (2001), too little has been done to address the after-effects of slavery within republican society. All too often, deeply embedded forms of institutional racism are sidestepped by relying on appeals to 'universal' human rights. This approach fails to take into account the specific legacies of slavery and their ongoing impact on slave-descendant and black communities. This begs the question: what purpose do recent efforts to remember and commemorate the past serve if they fail to take account of these contemporary social issues?

### Race in the French colonies

Race was central to constructing and maintaining slavery in France's colonies, as it was across the colonial plantation world more generally. Key distinctions between subjects racialised as 'white' and 'black' shaped economic patterns, legal affairs, and social relationships. Enslaved Africans were sought-after merchandise among the French merchants and plantation owners who made fortunes from the sale of what they crudely referred to as 'ebony wood'. A legal text governing master-slave relations was created called the *Black Code* (1685). This outlawed relationships between free and enslaved persons, restricted the movements of slaves, and defined the harsh punishments to be used against slaves for any minor infringement or attempt to escape. The original colonial system placed a small white minority in control of a large but enslaved African majority, and was from the start a regime of terror, brutality and exploitation.

Yet the *Black Code* was not completely successful in its attempt to segregate and subjugate. This is evident in multiple forms of resistance, including poisoning, slave-led uprisings, and 'marronage' (fugitive slaves). A growing free black and mixed-race population also began to emerge, posing a challenge to the stark, racialised binaries on which the colonial system was based. In response, additional colonial legislation was passed to restrict the activities of free people of colour. A total of 128 categories of skin colour were meticulously catalogued, from black to white, from 'Sacatra' to 'Quarteron'.

The resentment provoked by this apartheid-esque system exploded with the arrival of French revolutionary ideas to the colonies, culminating in the mass revolt of the enslaved Africans in Saint Domingue. This became known as the Haitian Revolution (1791–1804). The French Atlantic world was transformed with the birth of Haiti as the first black-led, post-slave, post-colonial nation state. One of the most radical aspects of Haiti's independence was the article in the 1805 constitution that abolished distinctions of skin colour, with all Haitians





The *Negre Marron*, sculpted by Haitian artist Albert Mangones, commemorate the landmark slave revolt against France in 1804. Photograph by Steve Bennett/ Flickr. Creative Commons.

henceforth identified as black. Jean-Jacques Dessalines, the constitution's creator, did this to help unify a nation still deeply marked by the structural racism of its French origins.

The French colonial bureaucracy took the opposite stance after it abolished slavery in the rest of France's plantation colonies in 1848. In contrast to Haiti's assertion of blackness, French republicanism embraced a 'neutral' identity based on the idea of assimilation to French cultural values and a desire to forget the slave past. This rhetoric of neutrality towards racial difference masked the reality of continued exploitation, including forced labour, indenture, and the use of detention centres. These and other practices effectively created a two-tier system of national identity based upon racial divisions. Numerous individuals who grew up during this period have testified to the profoundly alienating effects of a colonial education that worked to deny their history and erase their identity.

### Memorials amidst continued conflict

Intellectuals and activist groups have, since the 150th anniversary of the abolition of slavery in 1998, increasingly challenged the legacies of racism in France. In turn, this has forced the state to become more aware of the importance of engaging with the history and memory of France's involvement in slavery.

Recent years have seen a spate of memorial projects funded or endorsed by the state. These have included the overhaul of regional museums in slave ports, the declaration of May 10 as the national day for commemorating slavery, the inauguration of large-scale memorial projects (including the new €8 million Mémorial ACTe in the overseas department of Guadeloupe), and the inclusion of slavery within the school curriculum. In addition to celebrating the legal abolition of slavery, these approaches to remembrance also pay homage to those who suffered most. As such, they aim to reconstruct identities that have been obliterated through a process of enslavement and colonisation, and work towards the creation of a more inclusive society.

But just how effective have these commemorative practices been in bringing about social and institutional change? If we take the recent example of the general strikes in 2009, when France's current overseas departments (and former sugar colonies) of Martinique and Guadeloupe in the Caribbean were brought to a standstill by protests against the escalating cost of living, we might well conclude that there has been little change. Representing the majority Afro-descendent population, strike leaders denounced the French state for its exploitative and neo-colonial politics, pointing the finger at the minority white or 'Béké' population that continues to hold economic (and by proxy political) power over the islands, just like their slave-owning ancestors.

The enduring issues raised by these strikes are echoed in the rise of reparations movements. The Representative Council for Black Associations (Paris), the International Movement for Reparations (Mar-

tinique) and the International Committee of Black Peoples (Guadeloupe) have all called upon the French state to better acknowledge the legacies of slavery and the associated inequalities found in society today. They demand reparations as atonement for both. Such a position resonates strongly in the wider Caribbean community, which created the Caricom Reparations Commission in 2012 to seek reparative justice from Europe's former slave powers. Importantly, it is not just slavery but the wider colonial past that is under fire. Black rights groups in France are also suing the French state for the use of forced labour in the 1920s to construct the Congo-Ocean railway line, which resulted in some 17,000 deaths.

The slave past thus continues to exist just beneath the surface of public consciousness. It is ever ready to push through a rhetoric of remembrance that claims to have fully embraced history, but has not yet resulted in meaningful change to the racial, economic, and political structure of society. Rather than asking whether acts of state remembrance are capable of affecting such a deep and necessary societal transformation—when clearly they are not—perhaps we should ask whether memory can ever be enough to challenge the legacies of slavery.

Nation states are doomed to remember selectively for fear of rocking the shaky foundations of national cohesion. The past is 'domesticated' to create a story of belonging that elides the socio-economic fallout faced by slave-descendant and black communities. To move beyond memory would mean coming to terms with the links between slavery and colonialism, and engaging directly with their continuing discriminatory effects on society today. In other words, moving beyond memory means understanding its limitations and embracing new and more radical forms of engagement that push us away from the passivity of recognition and towards real justice and reparation.

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This article draws upon material from the authors' co-edited collection, *At the Limits of Memory: Legacies of Slavery in the Francophone World*.

## The need for reparatory justice

*A former prime minister of Jamaica calls David Cameron out for side-stepping calls for reparations and diminishing the continuing present of slavery in his address to Jamaica's parliament.*

P.J. Patterson

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This letter was originally released on 8 October 2015 under the title "Open letter to the Rt. Hon. David Cameron, M.P. Prime Minister of the United Kingdom and Northern Ireland".

Dear Prime Minister Cameron,

We who belong to the Commonwealth Parliamentary Association and cherish the value of the Westminster tradition should seek continually to foster rather than diminish it.

Given the honour which you were afforded to address the Joint Sitting of Jamaica's Parliament on Tuesday, September 30, 2015, the traditional Parliamentary right of debate and reply could not be exercised by any of our Members who were in attendance. As I watched your presentation, knowing them on both sides of the aisle as I do, their good behaviour which you commended ought not to be interpreted as acquiescence in everything you said.

The gifts you presented in Gordon House were both welcome and timely. Only the shrewdest observers of Parliamentary custom would have noticed that the package you offered discreetly omitted any mention of a £25 million contribution for the building of a Prison.

That was understandable, as what exists constitutes no more than a Non-binding Memorandum of Understanding. You rightfully appre-

ciated that its inclusion would have been premature as the framework Agreement has to be followed by further intensive negotiations and then the requisite legislation.

You wisely chose instead to add there the announcement of £30 million to make our hospitals more resilient to natural disasters. Given our vulnerability and the danger of climate change, this donation was highly appreciated.

Despite your recognition of not being “the only show in town”, the words of strengthening the bonds of friendship and the down-payment you brought would have been well received throughout the entire Caribbean.

Prime Minister,

The most noble intentions were jarred by those portions of your address which asserted that slavery was a long time ago, in the historical past and “as friends we can move on together to build for the future”.

Your host, The Most Hon. Portia Simpson-Miller, in her gracious welcome referred to the difficult issue of reparation which should be discussed in “a spirit of mutual respect, openness and understanding as we seek to actively engage the UK on the matter”.

You chose instead to throw down the gauntlet.

Mere acknowledgement of its horror will not suffice. It was and still is a most heinous crime against humanity—a stain which cannot be removed merely by the passage of time.

Those who perished in the Middle Passage and the fatal victims on the sugar plantations were victims of *genocide*. This is a crime in accordance with International Law.

The attempt to trivialise and diminish the significance of 300 years of British enslavement of Africans and the trade in their bodies reflect the continued ethnic targeting of our ancestors and their progeny for discriminatory treatment in both the annals of history and in the present.

The 180 years of slavery in Jamaica remain fresh in living memory. There are people alive in Jamaica today whose great grandparents were a part of the slavery system and the memory of slavery still lingers in these households and communities.

Those 180 years were followed by another 100 years of imposed racial apartheid in which these families were racially oppressed by British armies and colonial machinery. The scars of this oppression are still alive in the minds and hearts of million Jamaicans.

To speak of slavery as something from the Middle Ages is insufficient. For our communities its legacies are still present in their memory and emotions. To reject this living experience is to repudiate the very meaning and existence of these people's lives.

How can we simply forget it and move on to the future? If there is no explicit admission of guilt now, when will be the proper time?

You argue that Britain abolished the slave system and the credit for this resonates in the British Parliament today and shows British compassion and diplomacy.

Where is the prior confession that Britain fashioned, legalised, perpetuated and prospered from the slave trade?

Indeed, the facts speak to a different explanation. In Jamaica the enslaved led by Sam Sharpe tried to abolish slavery themselves three years before your Parliament acted. The British army destroyed these freedom fighters and executed their leaders.

This attempt to destroy the seed of freedom and justice in Jamaica continued for another hundred years. In 1865 the peasants sought to occupy Crown lands in order to survive widespread hunger. The British government sent in the army and massacred those people, executing Paul Bogle, George William Gordon and other Leaders.

Furthermore, the British Act of Emancipation reflected that the enslaved people of Jamaica were not human but property. The 800,000 Africans in the Caribbean and elsewhere were valued at £47 million. The government agreed to compensate the slave owners £20 million, and passed an Emancipation Act in which the enslaved had to work free for another four to six years in order to work off the £27 million promised to slave owners. It was they who paid for their eventual freedom.

The enslaved paid more than 50 percent of the cost of their market value in compensation to slave owners. This is what your Emancipation Act did. The enslaved got nothing by way of compensation. The Act of Emancipation was self serving and was designed to support British national commercial interests alone.

You have refused to apologise. Yet your Government has apologised to everyone else for horrid crimes. Are we not worthy of an apology or less deserving?

Mere acknowledgement of the crime is insufficient. The international community and international law call for formal apologies when crimes against humanity are committed. The UN has deemed slave trading and slavery as crimes against humanity. The refusal to apologise is a refusal to take responsibility for the crime. *In a law abiding world this is not acceptable.*

Recently you urged your own nation to keep the memory of the Jewish experience alive in memorials and education curricula. We urge you to do the same for the black experience which remains before us all. It

is precisely because we all want to move on that the reparatory justice movement is alive and growing. We all want to move on, but with justice and equality.

Contrary to your view, the Caribbean people will never emerge completely from the “long, dark shadow” of slavery until there is full confession of guilt by those who committed this evil atrocity.

“The resilience and spirit of its people” is no ground to impair the solemnity of a privileged Parliamentary occasion and allow the memory of our ancestors to be offended once again.

The Caribbean people have long been looking to the future. This is what we do in our development visions, but these legacies are like millstones around our necks. We look to reparatory justice as the beginning of shaping a new future. We invite Britain to engage in removing this blot on human civilisation so that together we can create a new and secure future.

ONE LOVE.

Yours sincerely,

P.J. Patterson

Former Prime Minister, Jamaica (1992-2006)



## Contributors

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The idea of race, and racism as a system of domination, are intimately bound up with the history of transatlantic slavery. But although this system of racial slavery is taken as the comparator for phenomena described as ‘modern slavery’, anti-slavery activists are keen to separate out race and slavery. Racism may be part of the ghost of a long dead form of slavery, they say, but ‘modern slavery’ is ‘colour blind’, a phenomenon linked to poverty not race. The essays presented in this volume question this dominant discourse in which political and economic life are neatly separated. They address aspects of the continuing afterlife of transatlantic slavery, and consider the complex interplay of political and economic factors in producing forms of marginalisation and exclusion that are discussed under the rubric of contemporary slavery. In so doing, they highlight the necessarily and unavoidably racial character not just of talk about ‘modern slavery’, but also of talk about the need to move ‘Beyond Trafficking and Slavery’.

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—*Helga Konrad, former OSCE Special Representative  
for the Fight Against Trafficking in Persons*

## **Beyond Trafficking and Slavery**

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