

Contemporary Slavery: A Historical Perspective

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## **ABSTRACT**

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While awareness is spreading about the 29 million people around the world who are currently enslaved, there is often a lack of understanding about what slavery is like today versus our common conception of slavery under the transatlantic slave trade. After exploring the connection between the abolition of slavery in the past and the introduction of coercive labor practices under colonial rule, I explain how slavery never truly ended and elaborate on the most common forms of contemporary slavery found today. This includes a case study focused on coercive labor in cocoa production. Using a solution oriented approach, I address the economic, social, and political conditions that allow slavery to continue to thrive and highlight the consequences of slavery, such as the far too common accompanying environmental destruction. Relying on the knowledge of how abolition has failed in the past, I suggest actions that governments, international organizations, businesses, and consumers need to take in order to end contemporary slavery.

## PREFACE

In order to deal with the complexity of contemporary slavery, I developed a conceptual framework that has guided the structure of my thesis overall and informed the way I approached my case study on forced/child labor in cocoa production. First, I examined the economic, social, and political pre-conditions that set the stage for contemporary slavery. Secondly, I explored the different forms of contemporary slavery. Thirdly, I researched the consequences and effects of slavery today. Meanwhile I studied the connections and linkages between these three categories; for instance, exploring why the pre-condition of poverty contributes to the form of forced labor and how forced labor is linked to the consequence of environmental destruction. Finally, I developed a multi-faceted approach to fighting slavery, which includes: reducing/eliminating the effects of the pre-conditions, tackling the current forms of slavery through immediate action, and ameliorating the consequences and effects of contemporary slavery.

In chapter 1, I expand upon my theoretical framework, beginning by defining contemporary slavery. Next, I explore the many economic, social, and political factors that allow slavery to exist including: poverty, a lack of viable alternative jobs, economic inequality, a long history of racism/prejudice/class inequality, gender inequality, poor education, corruption, a lack of labor unions, and the dominance of capitalist logic. After this, I define the five most common categories of slavery I came across in my research, which are: debt bondage, contract slavery, forced labor, domestic servitude, and chattel slavery. I also discuss who the enslaved are, looking at the ways women and children are particularly affected by slavery. Then, I explore the consequences of contemporary

slavery; including the patterns of global consumption which exports slave-made commodities around the world as well as the connection between slavery and environmental destruction. Finally, I delve into solutions for contemporary slavery. I begin by evaluating the fight against slavery in the past, focusing on the unintended consequences of abolition. I also discuss our tendency to overemphasize human trafficking in our solutions and advocate for why a multifaceted approach to ending slavery is so crucial.

Chapter 2 applies the theoretical framework to a case study of contemporary slavery in the chocolate industry, focusing on cocoa production in West Africa. In my pre-conditions section, I begin by examining the history of commercial cocoa production including a survey of forced labor on cocoa plantations in São Tomé and Príncipe. I also explore the history of cocoa production in Cote d'Ivoire and Ghana as well as the current economic, social, and political pre-conditions that allow coercive labor to thrive in cocoa production. Next, I lay out the forms of coercive labor in cocoa production, finding the worst forms of child labor to be the main issue at stake. I begin by explaining the international and national laws about child labor and describe in depth the current state of child labor in Cote d'Ivoire and Ghana, focusing on child trafficking and hazardous working conditions. Then, I explore the environmental consequences of cocoa production as well as the process in which the chocolate we buy becomes tainted with slave-made cocoa. Finally, I begin my section on solutions to coercive labor in the chocolate industry with a discussion of what has been done in the last decade, including an evaluation of the much acclaimed Harkin Engel Protocol – a voluntary set of agreements encouraging chocolate companies to monitor the labor in the supply chain. A more in depth discussion

of what needs to be done to end coercive labor in cocoa production is integrated into my final chapter.

After spending a great deal of time in the last two chapters diagnosing the pre-conditions, forms, and consequences that set the foundation for slavery, chapter 3 examines examples of people who are creating successful solutions to these problems and suggests ways that we can replicate their solutions to deepen the contemporary fight against slavery. I first begin with a discussion on the innovative approaches to addressing the pre-conditions that fuel contemporary slavery. This includes an analysis of approaches to poverty alleviation and economic reform, suggestions on how to rewrite anti-slavery legislature to account for social discrimination, and an exploration of the way capital drives political decisions. Next, I evaluate approaches to freeing slaves, including a discussion on Brazil's innovative Special Mobile Inspection Group that has been successful in locating and rescuing forced laborers. Finally, I discuss patterns of global consumption, addressing the question of what responsibility businesses and consumers have to fight slavery. This includes an analysis of fair trade as well as a discussion on how fighting slavery and tackling environmental destruction can go hand in hand.

In the conclusion I discuss the importance of using a historical perspective to analyze contemporary slavery and also propose unanswered questions I would like to address in the future.

## CHAPTER 1

### WHAT IS CONTEMPORARY SLAVERY?

Many people are beginning to realize that slavery did not end with legal abolition in the nineteenth century. Awareness of contemporary forms of slavery has risen in the last two decades, but that does not mean that “modern day slavery” is a new phenomenon. We lose much insight into contemporary issues in slavery when we collapse the historical dimension behind them. In this thesis I will examine today’s slavery practices from a historical perspective, linking the past and present in meaningful ways that will show us where to move forward in the fight against contemporary forms of slavery.

To begin, I will explain my conceptual framework for approaching the large topic of ‘contemporary slavery.’ This framework consists of four interconnected elements of contemporary slavery: pre-conditions, forms, consequences, and solutions. The pre-conditions piece is focused on the social, economic, and political conditions that allow slavery to exist in the first place. Secondly, the forms portion is centered on evaluating the nature of different types of slavery that are the most common today. Following this, the third piece is focused on consequences and effects of slavery at both the local and global level. Finally, the solutions element involves an analysis of the fight against contemporary slavery including what has been and what needs to happen in the future, while keeping in mind the unintended consequences of each action against slavery. After establishing this framework in the abstract, I will use the next chapter to evaluate these ideas in depth through a commodity-based case study in cocoa production.

Before digging into a deeper analysis of the conceptual framework, I will begin my providing a working definition of ‘contemporary slavery.’ Anti-slavery activists have

long struggled to develop a basic universal definition of ‘slavery.’ One of the reasons slavery is so difficult to define is because there is much variation within a wide range of both historical and present slave systems. It is also difficult to develop a definition that distinguishes between slavery and related forms of bondage.<sup>1</sup> There is also a tendency to define slavery based on the historical form of chattel slavery that is foremost in the Western memory of the transnational slave trade between Africa and the Americas. While this definition of slavery invokes moral convictions and can motivate popular support of the modern anti-slavery movement, it obscures the way that we think about other forms of slavery, both historical and contemporary. To circumvent this tendency, I will highlight many different forms of contemporary slavery (many of which have roots in similar forms of historical slavery), noting that chattel slavery is only one form among many.

Although no definition of contemporary slavery will be perfect, I will primarily rely on the International Labour Organization’s definition which describes slavery or coercive labor as “work or service exacted from a person under threat or penalty, which includes penal sanctions and the loss of rights and privileges, where the person has not offered him/herself voluntarily.”<sup>2</sup> Based on the Anti-Slavery organization’s interpretation of this definition, I assert that someone is considered to be in ‘slavery’ if he/she is: i) forced to work either through physical or mental threat, ii) is owned or controlled by an ‘employer’ (either does not have control over his or her own productive capacity, personal belongings, and earnings; or has not given informed consent and does not have a full understanding of the nature of the relationship between him or herself and the

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<sup>1</sup> Joel Quirk, *The Antislavery Project* (Philadelphia: University of Pennsylvania Press, 2011), 7.

<sup>2</sup>International Labour Organization. “C029-Forced Labour Convention, 1930 (No.29).” [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C029](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C029)



‘employer’<sup>3</sup>), iii) is dehumanized, treated as a commodity or bought and sold as ‘property’, or iv) is physically constrained or has restrictions placed on his/her freedom of movement or choice of work (note that this does not always present itself in the form of a physical barrier, but it can rather be the grave economic and social considerations, as well as a fear of what might happen to them or their family that influences a laborer to not leave his/her situation of bondage.)<sup>4</sup>

## 1.1 CONDITIONS FOR CONTEMPORARY SLAVERY

There are many economic, social, and political factors that allow slavery to exist including: poverty, a lack of viable alternative jobs, economic inequality, a long history of racism/prejudice/class inequality, gender inequality, education, corruption, a lack of labor unions, and the dominance of capitalist logic. It is important to note that these factors alone do not necessarily lead to slavery. In other words, “poverty, social exclusion and denial of human rights may be necessary conditions, but they are not sufficient conditions to lead to forced labour.”<sup>5</sup> As we explore these conditions for slavery, it is important to ask ourselves: why are some vulnerable people enslaved while others are not?

### 1.1.1 Economic Pre-Conditions

First, economically speaking, high rates of poverty tend to make people more vulnerable, and thus susceptible to situations of exploitative labor. Part of the reason that poverty

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<sup>3</sup> Kevin Bales, *Understanding Global Slavery* (Berkeley: University of California Press, 2005), 53.

<sup>4</sup> Antislavery International. “What is Modern Slavery?” Accessed September 30, 2013, [http://www.antislavery.org/english/slavery\\_today/what\\_is\\_modern\\_slavery.aspx](http://www.antislavery.org/english/slavery_today/what_is_modern_slavery.aspx).

<sup>5</sup> Kanchana N. Ruwanpura and Pallavi Rai, “Forced Labor: Definitions, Indications, and Measurement,” 2004, [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_081991.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_081991.pdf), 3.

exists in the first place, and why people feel compelled to take on unfavorable work conditions, is that there are often not many other viable economic opportunities in the region they live in. The lack of ‘free’ labor jobs creates a large number of people who are susceptible to economic exploitation which, contemporary scholar Kevin Bales argues, decreases the value of ‘unfree’ laborers or slaves, making them so cheap that they are cost effective. Buying a ‘slave’ is typically no longer a major investment (unlike slaves in the 18<sup>th</sup> century Americas, which were a large capital investment) and so slaves have become “disposable – something you use and then throw away when it is no longer useful.”<sup>6</sup> Part of the reason slavery is still prevalent today is that slaves are cheap, but can still make a large profit, making their labor economically valuable (at least for their ‘employer’ or owner.)

We also see that large scale economic inequality, at both the local and global level, contributes to the conditions needed for slavery. For instance, in Thailand, where forced labor in brothels is common, recent economic growth has left people with more money to spend on commercial sex, increasing the demand for brothel services. But, while some are making more money to spend on these services, the girls in the brothels continue to make meager wages and will continue to do so, because there is a steady supply of impoverished girls from the surrounding rural regions.<sup>7</sup> Globally, inequality contributes to the situation in which impoverished people in ‘developing’ countries make products for wealthy people in ‘developed’ countries, even though they themselves cannot afford to buy the products they make. One example of this is the shift from

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<sup>6</sup> Bales, *Understanding Global Slavery*, 9.

<sup>7</sup> Kevin Bales, *Disposable People: New Slavery in the Global Economy* (Berkeley: University of California Press, 2004), 40-45.

sustainable agriculture to a focus on producing cash crops, which often disrupts the local market structure and harms the livelihood of local farmers.

### **1.1.2 Social Pre-Conditions**

Socially, one of the reasons people are more susceptible to enslavement is that a long history of racism, prejudice, or class inequality have left them marginalized in society. In some cases, “slavery has disappeared as a structure, but still lives in a discourse that shapes the lives of those descended from both slaves and masters.”<sup>8</sup> This is the reality in Mali, Niger, and Nigeria where people who are descendants of slaves, even from many generations past, still face discrimination including social barriers to high office, public rituals, inheritance, and marriage practices.<sup>9</sup> Combatting social discrimination, it these individuals that are more susceptible to contemporary forms of slavery. Other times, deep-rooted social inequality breaks down the social safeguards which would normally protect individuals from coercive labor. For instance, people trapped in debt bondage in brick kilns in India tend to come from lower castes, where they not only face economic discrimination in terms of only being able to hold low-level jobs, but are also not effectively protected by the law, because those that enforce the law in their communities often come from the same caste as their masters. Facing discrimination, higher rates of poverty, and an ineffective social safety net, it is no wonder that those from lower castes account for the majority of bonded laborers in India.

There are similar connections between gender and educational inequality with slavery. Kevin Bales notes that the “enslavement of women and children often grows out of cultures where physical and sexual violence against women and children is both

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<sup>8</sup> Quirk, *Antislavery Project*, 173.

<sup>9</sup> Quirk, *Antislavery Project*, 173.

prevalent and shrouded in silence.”<sup>10</sup> Sometimes there is a direct correlation between gender issues and slavery, for instance those that are coercively trafficked for sex have often been sexually abused in the past, but often larger social norms make women and children more susceptible to slavery.<sup>11</sup> One reason for this may be the ‘feminization of poverty,’ in which women represent disproportionate percentages of the world’s poor often because they have less viable economic opportunities available to them. Women who do not have access to well-paying jobs may be more likely end up in domestic or sex slavery.

Similarly, those that are uneducated are more likely to be in poverty, and thus more vulnerable to conditions of exploitative labor. Also, many people that are enslaved are tricked by “recruiters” holding out the chance of a good job to the economically desperate. Against this deception, education can go a long way. For instance, in Nepal, an organization frees young women who were sold into prostitution in India and then sends them around to the surrounding villages to tell about their experiences. They found this method effective because “the parents who were once ready to believe the lies of the recruiter, the girls who yearned for jobs in the big city, and the local elders who were flattered and bribed by the con men are all less likely to be tricked once they have heard the truth.”<sup>12</sup> Education is not only economically empowering, but can directly protect people from unknowingly entering situations of slavery.

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<sup>10</sup> Kevin Bales, *Ending Slavery: How we Free Today’s Slaves* (Berkeley: University of California Press, 2007), 88.

<sup>11</sup> Heather J. Clawson, et al., “Human Trafficking Within and Into the United States: A Review of the Literature,” *US Department of Health and Human Services*, August 2009, accessed October 12, 2013, <http://aspe.hhs.gov/hsp/07/humantrafficking/litrev/>

<sup>12</sup> Bales, *Ending Slavery: How We Free Today’s Slaves*, 63.

### 1.1.3 Political Pre-Conditions

Political conditions also set the stage for slavery. One of the first conditions is corruption at both the governmental and regional level. While every country in the world has legally abolished slavery, this does not mean that these laws are effectively enforced and sadly the law can sometimes work against those who are enslaved. Kevin Bales describes police corruption associated with sex trafficking in Thailand, explaining that while the police and government do not directly enslave girls in brothels, they “provide a system of protection and enforcement for the slave-holders that make slavery possible.”<sup>13</sup> Unfortunately, the conspiracy of gangs, police, and immigration officials allows trafficking to occur on a large and increasing scale in Thailand.<sup>14</sup> Bales describes a similar phenomenon surrounding coercive labor in the charcoal industry in Brazil. In Brazil, government corruption not only allows unfree labor practices to happen today, but has also contributed to environmental destruction, beginning with the introduction of the eucalyptus plantations where land was sold to multinational corporations in recent decades. The environmental destruction that has occurred from selling this land has contributed to the impoverishment of the local people which has made them more susceptible to unfair labor practices in the charcoal industry.<sup>15</sup>

In addition to corruption, the lack of labor unions and other local representative groups limit the voice people can have in fighting exploitative systems in their own regions. It also means that the local government and other large scale corporations do not have organized pressure coming from labor unions pushing them to reform their labor policies.

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<sup>13</sup> Kevin Bales, *Disposable People*, 63.

<sup>14</sup> Kevin Bales, *Disposable People*, 72

<sup>15</sup> Kevin Bales, *Disposable People*, 125-126.

#### 1.1.4 Relationship Between Capitalism and Contemporary Slavery

A final pre-condition of contemporary slavery is the global prevalence of capitalist logic. Although an in-depth discussion of capitalism is outside the scope of this thesis, I will use this section to briefly explain the early development of capitalist logic in England, explore how this logic does not in fact support democracy, and finish by examining the differences between capitalist and territorial logic. The logic of capitalism as we know it today is centered on the free market. John Gray traces the origin of the free market to England. England was unique in its position and ability to adapt capitalist logic, because it had “long possessed a highly individualist legal culture of property ownership.”<sup>16</sup> Gray argues that the free market would have never been created if ownership and economic life had not long been individualized in nineteenth-century England. Although the free market system spread globally, particularly with the emergence of neo-liberalism in the latter half of the twentieth century, which emphasized financial markets, free access, deregulation and the privatization of markets in Britain, the United States, Australia, and New Zealand<sup>17</sup>, Gray contends that it was not feasible to attempt to transplant worldwide a social institution that has figured only briefly in the history of a very narrow concept of capitalism.

Gray also believes that the ideals of the free market and democracy are contradictory. He argues that the free market was possible in nineteenth-century England only because functional democratic institutions were nearly non-existent.<sup>18</sup> The lack of democratic institutions prevented the state from controlling the market or dealing with the negative human and environmental consequences initiated by market values of

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<sup>16</sup> John Gray, *False Dawn* (New York: The New Press, 1998), 13.

<sup>17</sup> David Harvey, *The New Imperialism* (New York: Oxford University Press, 2003), 68.

<sup>18</sup> Gray, *False Dawn*, 17.

productivity and profit. Similarly today, nation states have limited control over the functioning of the market. While we often attribute this reality to recent globalization, the tension between the market and the state has been around since the beginnings of capitalism. In fact, capitalist logic was detrimental to social institutions and human well-being during nineteenth-century England. These negative repercussions of capitalism were clearly seen internationally through policies of colonialism and imperialism; however similar patterns of injustice were seen at home as well. For example, the Poor Law Act of 1834, designed to establish a *laissez-faire* regime, shifted responsibility for the poor from the collective group to the individual, setting “the level of subsistence lower than the lowest wage set by the market” and stigmatizing “the recipient by attaching the harshest and most demeaning conditions to relief.”<sup>19</sup> The Poor Law was only able to exist because the rules of the market were protected from democratic deliberation and political amendment. This is why “global democratic capitalism” is an unrealizable condition. In the average democratic political life, the true free market is always short-lived, because its social costs are so high that it cannot be legitimated by any democracy for long.<sup>20</sup>

Another way of understanding the contradicting values of the free market and democracy is to examine the differences between capitalist logic and territorial logic, a dichotomy that David Harvey often speaks to. At the most fundamental level, capitalist logic seeks to continually accumulate more capital, is mobile in nature, and is always focused on getting the best profit. On the other hand, territorial logic is responsible to the collective advantage, is restrained to long-lived entities, and is confined to fixed

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<sup>19</sup> Gray, *False Dawn*, 9.

<sup>20</sup> Gray, *False Dawn*, 17.

territorial boundaries.<sup>21</sup> Before explaining further the key differences between capitalist and territorial logic, and how these ideologies fit into the logic of slavery, I will explore the logic of capitalism in more depth.

The two fundamental concepts of capitalist logic are capitalist accumulation and accumulation by dispossession. Capitalist accumulation is essentially the growth of capital and is a form of imperialism that is a drawn-out, political-economic process where the command over and use of capital takes supremacy. Capitalist accumulation is embodied in the ways that economic power flows through space, either towards or away from territorial organization through the economic practices of trade, commerce, and production. It is very difficult and almost impossible to control the processes of capitalist accumulation, because it always expanding and focused on making additional profit.

Harvey refers to the exploitative side of capitalist accumulation as ‘accumulation by dispossession.’ He explains that the processes of accumulation by dispossession include the

commodification and privatization of land and the forceful expulsion of peasant populations; the conversion of various forms of property rights (common, collective, state, etc.) into exclusive private property rights; the suppression of rights to the commons; the commodification of labour power and the suppression of alternative (indigenous) forms of production and consumption; colonial, neo-colonial, and imperial processes of appropriation of assets (including natural resources); the monetization of exchange and taxation, particularly of land; the slave trade; and usury, the national debt, and ultimately the credit system.<sup>22</sup>

Basically, accumulation by dispossession is about depriving people of their assets or their rights, resulting in a concentration of wealth and power for a few by dispossessing the majority of people of their wealth or land. For example, in the United States, water, education, and health care have been privatized, taking what Harvey believes are

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<sup>21</sup> Harvey, *The New Imperialism*, 27.

<sup>22</sup> Harvey, *New Imperialism*, 145.



universal rights, which should be responsibility of the state to protect, and transforms them into an individual responsibility.<sup>23</sup> Naomi Klein describes this process of privatization as ‘corporatist’, highlighting how it involves “huge transfers of public wealth to private hands, often accompanied by exploding debt” creating an “ever-widening chasm between the dazzling rich and the disposable poor.”<sup>24</sup> This logic is very similar to that behind the Poor Law in nineteenth-century England.

Harvey also notes that accumulation by dispossession tends to disproportionately affect those in the developing world, contributing to inequality in the global economy, stating that “it is certainly the case that some of its most vicious and inhumane manifestations are in the most vulnerable and degraded regions within uneven geographical development.”<sup>25</sup> A further reaching consequence of accumulation by dispossession is that it has contributed to the depletion of the “global environmental commons” (i.e. land, air, and water) increasing habitat degradations which has resulted in the wholesale “commodification of nature.”<sup>26</sup>

There are key consequences resulting from the dichotomy between capitalist and territorial logic. For instance, while the capitalist seeks individual advantage and is responsible to no one other than his or her immediate business circle (i.e. corporate partners or investors), the statesman is focused on the collective advantage and is constrained by the political or military nature of the state as well as some sense of responsibility to the citizenry or some sort of elite group, class, or kinship structure.<sup>27</sup>

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<sup>23</sup> Harry, Kreisler, Interview with David, Harvey, *Conversations with History*, Institute of International Studies, UC Berkley, March 2, 2004, <http://globetrotter.berkeley.edu/people4/Harvey/harvey-con4.html>.

<sup>24</sup> Naomi Klein, *The Shock Doctrine* (New York: Metropolitan Books, 2007), 15.

<sup>25</sup> Harvey, *New Imperialism*, 173.

<sup>26</sup> Harvey, *New Imperialism*, 148.

<sup>27</sup> Harvey, *New Imperialism*, 148.

While these two logics intertwine in complex and often contradictory ways in systems of exploitation that set the stage for slavery, the lack of responsibility for the ‘common good’ and the transnational nature of capitalism make it even more likely to be exploitative. For example, because capital is mobile, “it will seek its absolute advantage by migrating to countries where the environmental and social costs of enterprises are lower and profits are highest.”<sup>28</sup> It thus becomes difficult for countries to enforce strict guidelines for their working conditions, because multinational companies can quickly pull out and invest in countries which do not have as strict of conditions for the companies to follow. Capitalist logic also contributes to low wages, for “when capital is as mobile as it is today, it will tend, other things being equal, to gravitate to countries whose workers have the lowest absolute wages.”<sup>29</sup> The fact that the world population has continued to increase has also contributed to the lowering of wages, because there is a practically inexhaustible supply of cheap labor.<sup>30</sup>

While it is generally true that capitalism enhances productivity, it is essential that we recognize that “maximal productivity achieved at the cost of social desolation and human misery is an anomalous and dangerous social ideal.”<sup>31</sup> When we realize the impact that unrestrained capitalism has on the commodification of labor power, the privatization of resources, the suppression of alternative forms of production and consumption, and the introduction of paralyzing debts, it becomes clear that slavery is closely connected with this profit-focused logic. From this socioeconomic standpoint, we see that “capital can use slave labor to bring down the cost of paid labor, to discipline

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<sup>28</sup> Gray, *False Dawn*, 82.

<sup>29</sup> Gray, *False Dawn*, 83.

<sup>30</sup> Gray, *False Dawn*, 84.

<sup>31</sup> Gray, *False Dawn*, 83.

paid labor to accept less, or to substitute for paid labor.”<sup>32</sup> In this sense, the labor power of the enslaved person becomes a commodity over which the slaveholder has complete control. Unlike a free laborer, a slave cannot withdraw from the labor market at any time, and thus cannot sell or truly own his or her labor power. This reality, in conjunction with the other economic, social, and political pre-conditions for slavery described above shapes the nature and forms of contemporary slavery.

## 1.2 FORMS OF CONTEMPORARY SLAVERY

While all types of slavery tend to have similar core elements (coercion, ownership, commodification, and lack of mobility, as described above), it is important to remember that these defining characteristics are “embedded in a wide variety of forms reflecting cultural, religious, social, political, ethnic, commercial, and psychological contexts.”<sup>33</sup> Looking at the pre-conditions of slavery can help us gain a better context behind the specific types of bondage we are looking at, but it also helpful to categorize contemporary slavery into a few key forms. I will briefly discuss the five categories of slavery I often came across in my research, which are: debt bondage, contract slavery, forced labor, domestic servitude, and chattel slavery. It is important to note that there are other more controversial types of bondage including forced marriage, penal slavery, and wartime slavery that are often discussed under the category of contemporary slavery, but as these are rarer forms of bondage found in more unique conditions, I will not be examining these in my thesis.

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<sup>32</sup> Kevin Bales, *Understanding Global Slavery*, 55 and Harvey, *New Imperialism*, 145.

<sup>33</sup> Kevin Bales, *Understanding Global Slavery*, 9.

First, the most common form of slavery is debt bondage, otherwise referred to as bonded labor, and was defined in the 1956 Supplementary Convention<sup>34</sup> as the “status or condition arising from a pledge by a debtor of his personal services or of those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined.”<sup>35</sup> There are actually two types of debt bondage. In the first, people offer their labor power as collateral for a debt. Since “all the labor power of the debtor is the collateral property of the lender until the debt is repaid, the debtor is unable to even earn enough to repay the debt by their own labor.”<sup>36</sup> The first form of debt bondage, is most common in Southeast Asia (particularly India, Pakistan, Bangladesh, and Nepal.) In this region, indebtedness tends to be long term, often resulting in inter-generational bondage, and is typically closely linked with religious, cultural, and caste-based relationships and skewed land-ownership practices.<sup>37</sup>

In the second form of debt bondage, the work of the debtor “ostensibly may be applied to the debt, but, through false accounting or extortionate interest, repayment remains forever out of reach,” thus violating the agreement that the value of labor be applied towards the liquidation of the debt as described in the Supplementary Convention definition. This second form is more commonly seen in Latin America, where debt bondage takes form in peonage or serfdom systems, which are remnants of feudal structures. Here “indigenous people are recruited by indebting their subsistence living,

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<sup>34</sup> Note that this is the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1954 (often referred to as the “Supplementary Convention”).

<sup>35</sup> Kevin Bales, *Understanding Global Slavery*, 59.

<sup>36</sup> Kevin Bales, *Understanding Global Slavery*, 59.

<sup>37</sup> Ruwanpura and Rai, “Forced Labor: Definitions, Indications, and Measurement,” 5.

for which they have to produce goods and services”, such as charcoal and cane sugar, typically on seasonal or temporary agreements.<sup>38</sup>

After debt bondage, the next most common form of contemporary slavery is contract slavery, which often involves deceit. Contracts are offered guaranteeing legitimate employment, but when workers arrive they find they are enslaved, making little to no wages beyond subsistence, and usually without a viable way to leave the situation. This type of slavery is closely related to the second form of debt bondage described above, as laborers who have taken on these false contracts often find they owe exorbitant amounts of money to their ‘new’ employer for the alleged costs of ‘hiring’ them. This type of slavery is found in a variety of sectors including agriculture, industry, and the commercial sex business. Contract slavery is most commonly found in Southeast Asia, Brazil, and some Arab states.<sup>39</sup>

Next, forced labor is any work that people are coerced to do against their will, often under the threat of some form of punishment. At the most extreme level, this type of bondage occurs under strict military regimes such as Burma, or North Korea. However, the International Labour Organization extends the definition of forced labor beyond these extreme cases and includes many other cases of exploitative, intensive labor in industries such as agriculture, construction, mining, and manufacturing, occurring in many countries around the world.<sup>40</sup>

Domestic slavery refers to people who are employed in someone’s home on extremely unfair terms. Domestic workers can be considered to be in slavery if their “employers have forbidden them from leaving the home; withheld or not paid wages;

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<sup>38</sup> Ruwanpura and Rai, “Forced Labor: Definitions, Indications, and Measurement,” 5.

<sup>39</sup> Bales, *Disposable People*, 19-21.

<sup>40</sup> Antislavery International. “What is Modern Slavery?”

used violence or threats of violence; withheld their passports or identity document; limited their ability to have contact with family; or deceived them about their rights in order to compel them to work.”<sup>41</sup> While there is local domestic slavery in many regions of the world, this type of labor is particularly becoming ‘globalized’ as people from ‘developing’ countries migrate to ‘developed’ countries in search of work. Because of their migrant status, these laborers are more susceptible to exploitation, even in countries in the West that have a ‘functioning’ legal system.

Finally, chattel slavery is similar to the slavery that is associated with the transatlantic slave trade. Here the slave and master have established societal roles, people are sold permanently, and ownership over the slave is asserted.<sup>42</sup> This ‘classical’ form of slavery is found for example in Mauritania where legal ownership of slaves was abolished, most recently in 1980, but “no change in the working relationship was legislated; masters don’t have to pay their slaves or provide any sort of social security.”<sup>43</sup> In Mauritania master-slave relationships are complicated and diverse, taking every form from friendly intimacy to brutal exploitation. There are not many options for slaves even if they found a way to leave (primarily because of racial segregation), and paradoxically slaveholders refuse to give up their slaves until they receive compensation, but they also assert that because slavery was abolished, they are no longer slaveholders.<sup>44</sup> Chattel slavery is very interesting to study, but it is important to reiterate that chattel slavery is only one type among many forms of slavery, both historically and contemporarily speaking.

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<sup>41</sup> Antislavery International. “What is Modern Slavery?”

<sup>42</sup> Bales, *Disposable People*, 19.

<sup>43</sup> Bales, *Disposable People*, 88.

<sup>44</sup> Bales, *Disposable People*, 84-86 and 112.

### 1.2.1 Who are the Enslaved?

While men, women, and children are all affected by contemporary slavery, it is important to understand the ways in which age and gender make some of the population more susceptible to certain forms of slavery. We must first of all understand how child labor fits in with the other forms of slavery. Child labor, like any of the other categories of ‘unfree’ labor, has much variation in the degree of exploitation involved. On the one end of the scale is child work, which is mild labor that does not take away from the child’s well-being or their ability to receive an education. This is typically viewed as an acceptable practice. The opposite end of the spectrum is classified as the ‘worst forms of child labor’ and refers to situations where children are subject to hazardous work that threatens their health or development. The ILO associates these unacceptable conditions with child slavery or slavery-like practices. Child labor often overlaps with the other forms of slavery described above. Children may be victims of debt bondage if they have to help their bonded family pay off their debt, or may have generational debt passed onto them. Youth can often be vulnerable to contract slavery, particularly when recruiters come to their family, promising their child a good job and education, as often happens with young Thai girls who are deceived into working in city brothels.<sup>45</sup> Child labor often coincides with forced labor in sectors like agriculture, mines, manufacturing, and construction, and many children are recruited into situations of domestic slavery.<sup>46</sup>

Women are particularly susceptible to types of slavery involving forced prostitution, which is “when a person is forced through violence or intimidation to engage in sexual acts in return for money or some other payment,” or sex slavery, which is the

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<sup>45</sup> Kevin Bales, *Disposable People*, 42-43.

<sup>46</sup> Antislavery International. “What is Modern Slavery?”

sexual exploitation of individuals through the use or threat of force (but not necessarily for any financial gain.)<sup>47</sup> Women also tend to work more in the domestic realm, making them more vulnerable to forms of domestic slavery.

It is important to understand how children and women in particular are affected by slavery, in part, because these forms will require special consideration when we consider the unique consequences and effects of slavery that women and children face. One consequence is that children who are treated poorly and individuals who experience sexual exploitation will arguably have to deal with more emotional and psychological consequences of their slavery experiences. While “all slavery can be a harrowing and traumatizing experience”, “the repeated sexual violation amounting to rape that characterizes forced prostitution brings tremendous psychological damage and requires intensive rebuilding of self-esteem and self-worth.”<sup>48</sup> Children who have been enslaved will similarly have psychological damage they will need to work through in order to fully recover. A second reason why the slavery of women and children will need special consideration is the difference in the ‘transferability of skills.’ While the “enslaved agricultural worker can, upon liberation, apply his or her skills as an independent farmer, given the right opportunity”, “the enslaved prostitute who is freed is extremely unlikely to want to remain a prostitute.”<sup>49</sup> Similarly enslaved children will need a lot of education after being rescued in order to catch up to their peers and obtain a non-exploitative job in the future.

In the next section I will examine the consequences and effects of slavery in more depth, but before moving on, I want to note that the West is not exempt from

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<sup>47</sup> Kevin Bales, *Understanding Global Slavery*, 63, 65.

<sup>48</sup> Kevin Bales, *Understanding Global Slavery*, 67.

<sup>49</sup> Kevin Bales, *Understanding Global Slavery*, 67.



contemporary slavery, contrary to popular assumptions (and the fact that most of the examples given above are not focused on countries in the West.) There have been many cases of forced prostitution in Europe and the United States, as well as forced labor and contract slavery in the agricultural and manufacturing sectors. As we discuss the consequences and effects of slavery, it is important to remember that slavery is not only happening ‘over there,’ but ‘here’ at home as well.

### 1.3 CONSEQUENCES AND EFFECTS OF CONTEMPORAY SLAVERY

There are consequences of slavery for the individual enslaved, their region and country, as well as the international community. Societally, when many people are enslaved in one area, a culture of slavery can develop, making freedom seem impossible or even undesired. This has happened in India where whole communities have been trapped in debt bondage in the stone quarrying industry for generations and can no longer envision what ‘freedom’ would be like. The first step in rescue operations in these regions has been to educate bonded laborers on their legal rights so that they can believe that there is a realistic possibility of freedom and then make a collective decision to pursue that freedom.<sup>50</sup> Economically, when slave-like conditions become acceptable, it becomes all the more difficult for fair labor practices to be sustainable. For example, if one region or country demands fair wages and conditions, companies can typically move elsewhere to look for labor sources that do not have such high demands. The possibility of cheap labor also affects global consumers, because they become accustomed to buying goods at a cheap price and often would not be willing to pay the price it would cost to make what they are purchasing with fair labor. Finally, there are environmental consequences to

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<sup>50</sup> Bales, *Ending Slavery: How We Free Today's Slaves*, 79.

consider. Especially when raw materials are produced in a country, there is much environmental damage that has far extending consequences for the local people, both enslaved and not enslaved. The consequences of contemporary slavery will be expanded upon in the next two chapters.

#### 1.4 THE FIGHT AGAINST CONTEMPORARY SLAVERY

When fighting slavery in the past, activists tended to focus on ending the slave trade, rather than stopping the actual forms of slavery. Similarly today, I believe there is an overemphasis on fighting human trafficking rather than abolishing the forms of slavery that people are trafficked into. Note that by human trafficking I am referring to the transit process where people are either tricked or forcibly taken into situations of labor or sexual exploitation. While stopping human trafficking is certainly one piece of the ‘solutions’ puzzle, I find it more useful to think about solutions to contemporary slavery in a broader way, encompassing the framework I have developed thus far. Rather than focusing on one aspect of the problem, human trafficking, I think we need a multi-faceted approach, which can best be understood by thinking about the fight against contemporary slavery at three levels. First, antislavery advocates can focus on reducing or eliminating the effects of pre-conditions that contribute to the existence of contemporary slavery. Secondly, advocates can address the various forms of slavery, using legislation and reform to take conditions that are currently exploitative and make them non-exploitative. Finally, advocates can focus on ameliorating or addressing the consequences and effects of slavery. Before I discuss these three approaches, I will give a brief overview of the

abolition of slavery in the past and explore how the implications of this history affect both the nature of slavery and the fight against it, today.

#### **1.4.1 The Fight against Slavery in the Past**

It is important to understand how abolition has happened in the past. Living in a post-abolition world, we are in a unique position in history, because it is generally agreed upon that slavery is not morally justifiable, which is an assumption that earlier abolitionists were not able to enjoy. However, part of the reason that slavery continues to be a problem, is that abolition has tended to be viewed as a final step in the anti-slavery campaign. Joel Quirk argues that instead of marking a conclusive end to the problems at hand, “the legal abolition of slavery usually marked (at best) a qualified reconfiguration of entrenched socioeconomic cleavages, with former slave owners and their sympathizers seeking to defend their earlier prerogatives and investments, and slaves and ex-slaves seeking to carve out new options and opportunities in the face of continued opposition.”<sup>51</sup> So, while in most cases, we no longer need to fight for the legal abolition of slavery, we need to understand the ways in which legal abolition failed to fully eradicate slavery and determine the consequences of this failure.

Before looking at the consequences of historical abolition, it is important to understand the initial motivation behind the anti-slavery movement. Joel Quirk notes that while there were some enlightened figures who understood anti-slavery predominantly in terms of an egalitarian commitment to human or racial equality, most abolitionists were motivated by “ideologies of benevolent paternalism, where people who considered themselves blessed with ‘superior’ sensibilities/opportunities were held to be duty bound

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<sup>51</sup> Quirk, *Antislavery Project*, 113.

to assist those who were unable or unwilling to help themselves.”<sup>52</sup> When we understand this motivation for anti-slavery work, it is easier to reconcile the paradoxical situation where the same European powers that were pushing for legal abolition abroad, were also advocating for the legitimacy of other exploitative practices such as colonial conquest, the liquidation of “native” peoples, and forced labor under colonial rule.<sup>53</sup> In fact, abolition was often used to justify colonial conquest, because ‘superior’ European powers felt a paternal obligation to ‘civilize’ lesser peoples languishing in their backwards practices of slavery, believing these peoples needed an external power to ‘help’ them abolish slavery in their own countries.<sup>54</sup> After colonial ties were established, slavery was recognized as an ‘exceptional category’ and other exploitative labor practices were either seen as benign or as an ‘unfortunate necessity’ due to the need for labor to support public works, war, and commercial ventures in order to expand the reach of the colonial Empire.<sup>55</sup> This reasoning was not only applied internationally, but a similar paternal rationale was also applied ‘at home’ in Europe, as demonstrated by the Poor Law Act of 1834 in England, discussed in the section above describing capitalist logic.

The connection between abolition and colonialism/imperialism as well as the development of other forms of coercive and exploitative labor, is one of the many unintended consequences of legal abolition. In some cases there is a direct connection between the limitations of legal abolition and the existence of slavery today. For instance, consider Mauritania where ‘classical’ forms of slavery are still present. One reason why slavery has not actually died out in Mauritania is because during colonialism, European

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<sup>52</sup> Quirk, *Antislavery Project*, 70.

<sup>53</sup> Quirk, *Antislavery Project*, 68.

<sup>54</sup> Quirk, *Antislavery Project*, 83.

<sup>55</sup> Quirk, *Antislavery Project*, 103-105.

administrators favored a “complicit approach, retaining slavery as an integral feature of life in Mauritania, despite the introduction of formal anti-slavery legislation from the 1900s onward.”<sup>56</sup> Because colonialists introduced anti-slavery legislature, it has been possible for modern officials in Mauritania to assert that slavery has long been dead (since it has been ‘abolished’), but neither they nor the colonialists have been able to implement effective measures that actually eradicate slavery. The long-term contribution of government officials in sanctioning and supporting various forms of human bondage is still an issue when confronting contemporary forms of slavery.

Another consequence of the limitations of abolition, it that similar capitalist arguments are applied today as were in the colonial era in order to justify the long term economic appeal of coercive and involuntary labor schemes. While slavery began to be recognized as an unjustifiable economic practice, other labor practices became more acceptable such as, indentured migration, forced labor schemes, taxation in the form of labor, and debt bondage. The chief economic logic behind both these post-abolition practices and contemporary forms of slavery is “an individual desire for greater profits, and/or lesser costs, that might otherwise be unavailable using other methods.”<sup>57</sup> This individualist, capitalist logic is a key contributor to the continuation of many forms of slavery today.

Finally, another consequence of the abolition era is that victims of contemporary slavery tend to come from ‘inferior’ social groups that stem from the long term contribution of various systems of hierarchy and patriarchy that were often introduced or

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<sup>56</sup> Quirk, *Antislavery Project*, 175.

<sup>57</sup> Quirk, *Antislavery Project*, 124.

reinforced during colonialism.<sup>58</sup> Abolition itself does not have the means to protect these ‘inferior’ social groups from the realities of contemporary slavery, reminding us that solutions which will effectively deal with slavery need to move beyond legal abolition.

### **1.4.2 The Fight against Slavery Today**

An awareness of the unintended consequences of abolition in the past should make us more cautious in our anti-slavery actions today. When we begin examining the fight against slavery, many questions arise about the most effective ways to spend our money and resources. For instance, should we be spending more time lobbying governments or freeing people currently in slavery? Or should we focus on providing jobs in local regions so people aren’t drawn towards slavery in the first place? Rather than trying to choose the ‘best’ solution, I think it is more useful to think about fighting slavery with the three-pronged approach I mentioned above which consists of: i) eliminating pre-conditions of slavery, ii) using legislation and reform to help those that are currently enslaved get out of slavery, and iii) addressing the consequences and effects of slavery.

#### *1.4.2.1 Step One: Eliminate the Pre-Conditions*

The first strategy of fighting slavery, which is focused on addressing the pre-conditions of slavery, is vitally important if we are to eradicate slavery in the long run. One important focus at this level is to address economic vulnerability, which allow people to be enslaved in the first place. This might mean boosting local economies so more fair-wage jobs are available or improving education systems so more people have the skills needed for higher paying jobs. Education can also be used to teach about the nature of slavery so that people are less likely to voluntarily take on what appears to be legitimate

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<sup>58</sup> Quirk, *Antislavery Project*, 137-138.

work, but turns out to actually be exploitative. For instance, we can learn from current antislavery work within the fishing industry in Ghana that “real progress can be made when economic alternative are developed for both those who would enslave and those who are vulnerable to enslavement.”<sup>59</sup> We can also see that while it is important to develop economic alternatives to the practices that tempt some fisherman to exploit their workers (especially children), it is even more important to help the families “who are vulnerable to get the education, income and skills that can protect them from slavery.”<sup>60</sup> Also, economically speaking, we can address the negative impacts of capitalist logic. It is important to recognize that although many laissez-faire markets do come with the cost of social desolation, the market does not have to be fundamentalist and exploitative of the majority. It is “equally possible to require corporations to pay decent wages, to respect the right of workers to form unions, and for governments to tax and redistribute wealth so that the sharp inequalities that mark the corporatist state are reduced.”<sup>61</sup>

There is also a flip-side to the logic of combatting poverty and economic inequality to prevent slavery. Addressing economic pre-conditions certainly contributes to ending slavery. But, ending slavery can actually contribute to ending economic pre-conditions. For instance, children that are caught in the worst forms of child labor spend the majority of their developmental years working for long hours on often repetitive and tedious tasks, which does not allow them to develop personally or gain other valuable skills, which can often prevent them from flourishing economically in their adult lives. If solutions are put in place so that children, who would have had to labor in poor conditions, could instead gain an education or practical job skills, their communities

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<sup>59</sup> Bales, *Ending Slavery: How We Free Today's Slaves*, 48.

<sup>60</sup> Bales, *Ending Slavery How We Free Today's Slaves*, 48.

<sup>61</sup> Klein, *The Shock Doctrine*, 20.

would have more individuals actively contributing to economic growth. Similarly, if many adults are working for little or no pay in a community, they are not actively contributing to the economy. If the individuals in this labor pool are instead able to take ownership of their labor and earn enough to live beyond bare subsistence, they would not only add money to the economy, but could use their creative potential to perhaps reform the way their work is done or create new jobs.

It is also important to confront issues of racism and prejudice that leave those on the peripheral of society more susceptible to being tricked or forced into slavery. Kevin Bales notes that “cultures that foster slavery are also likely to harbor racism, religious discrimination, and devaluation of women.”<sup>62</sup> He also argues that slavery is fundamentally a question of power and that “while slavery may be linked to religion in one country, to caste or “race” in a second country, and to gender in yet another country, it always reflects differences in economic and social power.”<sup>63</sup> In order to prevent slavery from happening in the first place, we need to confront these oppressive social ideologies that leave people in the peripheries of society in the first place as well challenge the power dynamics that keep them enslaved. Austin Choi-Fitzpatrick provides a helpful framework for thinking about the role of power in slavery. The first dimension of power is overt control, often practiced by the slaveholder over the slave. The second dimension focuses on structural power, demonstrating that “enslavement is a complex process and the forms of control, coercion, and power exercised by slaveholders are not only physical

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<sup>62</sup> Bales, *Ending Slavery How We Free Today's Slaves*, 88.

<sup>63</sup> Bales, *Understanding Global Slavery*, 88.



(power's first dimension) but also psychological and cultural" (power's second dimension).<sup>64</sup>

Often anti-slavery efforts are hampered by focusing on the first dimension of power rather than the second, overemphasizing a "concentration on coercion rather than more complex structural violence."<sup>65</sup> It is useful to think of power in light of the second dynamic because it "foregrounds the role of culturally embedded power structures such as caste, class, citizenship, and gender."<sup>66</sup> Approaching the role of power in slavery through this dual dynamic, changes the focus of what authority target in anti-slavery efforts. While anti-slavery activists may need to target the authority of a local landowner, they may also need to target the authority of "dominant cultural conceptions of rightful personhood."<sup>67</sup> For instance, in rural India, the authority of the state is in reality distant and abstract, while the real authority in defining economic and social relationships come from power dynamics related to caste, class, and gender. Thus, "efforts to end slavery must challenge the articulation of power at these points— caste, class, gender— as well as in more traditionally recognized seats of power (the slaveholder's coercive force; the judge's gavel; the legislator's pen)."<sup>68</sup> Recognizing the complex nature of power *over* the enslaved as well as structural power *through* culture and institutions more usefully conceptualizes emancipation as more than abolition, but a transformation in consciousness, social structure, and political empowerment.<sup>69</sup>

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<sup>64</sup> Austin Choi-Fitzpatrick, "Rethinking Trafficking: Contemporary Slavery," in *From Human Trafficking to Human Rights*, edited by Alison Brysk and Austin Choi-Fitzpatrick, (Philadelphia: University of Pennsylvania Press, 2012), 18.

<sup>65</sup> Choi-Fitzpatrick, "Rethinking Trafficking," 18.

<sup>66</sup> Choi-Fitzpatrick, "Rethinking Trafficking," 19.

<sup>67</sup> Choi-Fitzpatrick, "Rethinking Trafficking," 19.

<sup>68</sup> Choi-Fitzpatrick, "Rethinking Trafficking," 19.

<sup>69</sup> Choi-Fitzpatrick, "Rethinking Trafficking," 20.

In addition to addressing social and economic concerns as well as systemic issues of power inequality, there is a greater need for public awareness about contemporary slavery. While, for the most part, the laws needed to end slavery are already on the books, there is a need for greater political will to enforce these laws, which is often directly proportional to public awareness and concern.<sup>70</sup> Also, in order to implement anti-slavery laws, there is a need for more honest law enforcement and reforms on police and legal corruption, which play a large role in the continuation of slavery.

When fighting slavery through addressing pre-conditions, it can be discouraging to think that apparently “all we have to do is end world poverty, stop all corruption, keep people from being greedy, slow the population explosion, end the environmental destruction and armed conflicts that impoverish countries, convince the big lenders to cancel international debts, and get governments to keep the promises they make every time they pass a law.” Kevin Bales believes that there is hope however, noting that the “positive trends in our economies and cultures, the growing acceptance of human rights and the relatively small part that slavery plays in our world economy means slavery is ripe for extinction.”<sup>71</sup> While it is of course not practical to believe we can end all of the pre-conditions behind slavery, if we focus on fighting them while also helping those currently enslaved escape, it is possible for us to make important gains in ending slavery today.

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<sup>70</sup> Bales, *Ending Slavery: How We Free Today's Slaves*, 27.

<sup>71</sup> Bales, Kevin and Choi-Fitzpatrick, Austin. “The Anti-slavery Movement: Making Rights Reality,” In *From Human Trafficking to Human Rights*, edited by Alison Brysk and Austin Choi-Fitzpatrick, (Philadelphia: University of Pennsylvania Press, 2012), 128.

*Step Two: Use Legislation and Reform to Stop Slavery Right Now*

The second approach to combatting slavery is to use legislative action to reform current situations of slavery and to physically ‘rescue’ people who are enslaved. Many different actors, including local governments, international organizations, and non-governmental organizations need to work together in order to ensure the eradication of slavery. First of all, local governments need to take decisive actions to end slavery in their own borders. They need to begin by recognizing that slavery and its eradication is multidimensional and assemble the minds needed to think through the variety of factors that enable and support slavery in their country, so that a plan for ending slavery, which fits their situation, can be developed. Secondly, governments need to assemble anti-slavery enforcement teams, in which labor inspectors have the right to look at all industries, no matter how informal, for evidence of forced labor. Thirdly, governments need to provide for the rehabilitation and support of victims of slavery. Fourthly, governments need to work with other groups to produce materials to be used in the promotion of public awareness of both the crime of slavery as well as discouraging the demand that leads to slavery, particularly raising awareness of enticements and recruitment methods used by slaveholders. Finally, governments should develop trade policies that demonstrate the notion that slave-made goods should be taboo on the world market.<sup>72</sup>

We also need to use the intergovernmental organizations we already have in place, such as the United Nations, the International Labor Organization, the World Trade Organization, and the World Bank in order to address the global aspects of slavery. Social movement organizations and nongovernmental organizations are also crucial in the fight against slavery. These organizations are helpful in gaining popular support for the

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<sup>72</sup> Bales and Choi-Fitzpatrick, “The Anti-slavery Movement: Making Rights Reality,” 201-203/

movement and are “critical conduits for knowledge, economic resources, movement strategy, and international pressure.”<sup>73</sup>

Governments, International Organizations, and NGOs can work together to take multiple steps to bring about the liberation of individual slaves. First, these groups need to protect the liberators. Many activists who free slaves are under risk of violence. Other governments and international organizations can help diminish the risk involved for those rescuing slaves by putting outside pressure on the leaders of the countries where the activists are working. Secondly, these actors need to give the liberators the tools they need to do their work. For instance, Sankalp, an anti-slavery organization in India, was freeing villages from debt bondage using bicycles. A small grant to aid the purchase of motorcycles was immensely helpful. Thirdly, the three main actors need to work together to write and enforce more effective antislavery laws, so that “charity workers don’t have to do the work of the government and police.”<sup>74</sup> This step will also involve training, motivating, and mobilizing law enforcement to know how to see the signs of slavery and effectively rescue people from coercive labor. Fourthly, these groups need to find the most effective liberators and document the methods they have found to work so that their approaches can be extended too other regions. They also need to continue to ask the liberators what they need to become more affective. Fifthly, these actors need to effectively rehabilitate people who have been enslaved so that they and their future generations can be free from economic and social exploitation. We do not want to repeat

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<sup>73</sup> Bales, “The Anti-slavery Movement, 197.

<sup>74</sup> Bales, *Ending Slavery: How We Free Today’s Slaves*, 57.

the ‘rehabilitation’ process that occurred for many slaves in the post-civil war era in the United States.<sup>75</sup>

Finally, when thinking about immediately eradicating slavery, we need to remember that there is no one universal model that can be applied to end every type of slavery in any location. Approaches to ending slavery need to be relevant to the local culture, economy, and political situation. The best way for this to happen is to use a community based approach, where communities choose to end slavery, because of a conscious collective decision to do something about it. A good example of this method can be found in the village of Sonebarsa in India where ethnic Kols have long labored in quarries through inherited debt bondage. With the help of an anti-slavery organization, Sankalp, these villagers took action and filed for a mining lease which gave them freedom over their labor. Although this was a long journey, anti-slavery advocates learned that “these slaves didn’t need job training; they just needed a chance to do the work they knew well. Working for themselves, families could gain better conditions and freedom.”<sup>76</sup>

When slaves make a conscious to decision to reach for freedom, rather than being “rescued in police raids, redeemed through purchase, or snatched by activists and not given a chance for learning and decision making,”<sup>77</sup> the freedom they obtain will be much more durable. Once these communities obtain freedom, they will also need the following: immediate access to paid work; a chance to build up savings; access to basic service (education, health care etc.); and the ability to restore their land as slavery often coincides with environmental destruction, so something like planting trees can be very

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<sup>75</sup> Bales, *Ending Slavery: How We Free Today’s Slaves*, 57-59

<sup>76</sup> Bales, *Ending Slavery: How We Free Today’s Slaves*, 66.

<sup>77</sup> Bales, *Ending Slavery: How We Free Today’s Slaves*, 84.

important for restoring the natural world in which the freed slaves will live.<sup>78</sup> This model is important, because it calls for a shift from a “rescue model of victim maintenance to a rights approach of sustainable emancipation.”<sup>79</sup> It also takes into account human agency and presses the question about the challenging relationship between an individual’s rights as a ‘victim’ versus a ‘worker.’ The rehabilitation process for ex-slaves will be a long journey, but it is absolutely essential to move beyond just freeing slaves if we are to truly stop slavery.

#### 1.4.2.3 *Step 3: Address the Consequences of Contemporary Slavery*

The third approach to ending slavery is to address the consequences and effects of slavery. One consequence of slavery is that global consumers are able to buy products at a cheaper price. Consumers need to be more aware of what conditions the products we buy are made in and the corporations who sell these products need to be more aware of and transparent about their supply line. There are many questions to be answered here. How do we differentiate between products that are made by slaves and those made by a free worker? If we all stopped buying these products, would that make the lives of those enslaved better or worse? Are consumers willing to buy products at the cost it would take to make them with fair wages and conditions?

On the business side of things, there is a need for a greater commitment to remove slavery from the production chain. In the United States, there is a law that allows any labor inspector to “seize goods, foodstuffs, or commodities, including goods that have ‘any part or ingredient thereof’ tainted by illegal labor exploitation, or even if the

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<sup>78</sup> Bales, *Ending Slavery How We Free Today’s Slaves*, 89-90.

<sup>79</sup> Austin Choi-Fitzpatrick, “Rethinking Trafficking,” 22.

product's wrapping or packaging was made with slavery or child labor.”<sup>80</sup> The enforcement of this law is a logistically challenging demand, for there are many steps that go into making a product and it can be difficult to determine and then cut out exploitation that happens along one step of the way.

Nevertheless, much can be done by businesses to not only acknowledge where all the ingredients for their products are coming from, but to ensure fair wages and working conditions are enforced at each step of production. However, it is unlikely that businesses on their own, would be able or interested in escaping the logic of capitalism built into the global economic system. Thus, governments, international bodies, and activists will need to find a way to encourage and reward businesses for cleaning up their supply chain. Of course, this method of production would be more costly, so methods would need to be developed to help businesses still make a profit while practicing fair labor practices. One way to do this is to bring together companies that buy from the same sources to work together to investigate a product chain, making the expense of investigation cheaper since it would be spread across a number of companies.

Consumers can also play a role in ensuring fair labor in production, but the way this is done may not be as obvious as avoiding buying ‘slave-made’ commodities. Often our reaction when we realize that some of the products we buy are slave-made is to distance ourselves from buying anything that could potentially be made in slavery. But, “for every criminal using slaves to grow cocoa or cotton or sugar, there are hundreds of thousands of farmers producing the same crops without using slaves...So, while our

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<sup>80</sup> Bales, “The Anti-slavery Movement, 203.

disgust tells us to boycott, the truth is that boycotts can hurt the innocent more than the guilty.”<sup>81</sup> While as consumers, we want to vote with our dollars in the market for the values we believe in, slavery realistically cannot be stopped at the cash register, but needs to be stopped where it happens—on the farm, in the sweatshop, or in the quarry.<sup>82</sup> This is why it is more useful for antislavery groups to focus on partnering with companies, helping them take responsibility for their product chains.

Finally, part of our anti-slavery response will need to involve dealing with the environmental destruction that often accompanies slavery. While I will offer more detailed environmental solutions in the third chapter, before moving forward I want to discuss an example of a solution to environmental destruction that indirectly contributed to the introduction of coercive labor. This will remind us of the importance of considering the unintended consequences of even the most well-intended solutions. In the Democratic Republic of Congo, a far too common occurrence is the use of forced indigenous labor by the dominant ethnic group, the Bantu. On top of facing social discrimination, one of the main reasons indigenous people are vulnerable to forced labor by the Bantu is because of conservation policies in the last few decades which have forced them off of their traditional land in order to ‘protect’ it. They have also been prevented from hunting during many months out of the year. With the ability to hunt and gather indigenous communities often have no other source of income and are left dependent on the Bantu for work.<sup>83</sup> Just as a multi-pronged approach to slavery elimination is so important, this case reminds us of the danger of solely focusing on

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<sup>81</sup> Bales, *Understanding Global Slavery*, 22.

<sup>82</sup> Bales, *Understanding Global Slavery*, 22.

<sup>83</sup> Antislavery International, “Arrested Development: Discrimination and Slavery in the 21<sup>st</sup> Century,” 25.



sustainability solutions without considering the consequences for the people that live on the land.

Now that I have evaluated my conceptual framework in a more abstract, global setting, I will use this structure to format my analysis of coercive labor in cocoa production in my next chapter. The themes gleaned from this first chapter about the linkages among the pre-conditions, forms, consequences, and solutions of contemporary slavery, will help us understand how labor practices in the cocoa chain fits into the global context.

## CHAPTER 2

### CHOCOLATE: UNEARTHING LABOR PRACTICES IN COCOA PRODUCTION

In this chapter, I will first examine a historical case of coercive labor in cocoa production in Angola. This will set the tone for how we interpret coercive labor within the cocoa industry in Cote d'Ivoire and Ghana today. To better understand the current pre-conditions in Cote d'Ivoire and Ghana as well as their relations to the international cocoa sector, I will first give an overview of cocoa production in each country. Next I will describe the forms of exploitative labor found in each country. I will finish by describing the consequences of coercive labor in cocoa production on global consumption and the environment.

#### 2.1 HISTORY OF COMMERCIAL COCOA PRODUCTION

The cocoa tree, *theobroma cacao*, originated in South America and has long been valued by the Aztecs and Mayans. Cocoa beans were used as a monetary and measuring standard and were enjoyed in the form of a rich drink among the upper class and warriors.

Hernando Cortez encountered this chocolate drink during the early 16<sup>th</sup> century while traveling in South America and brought coco beans back to Spain. Cocoa quickly became popular in Europe and recipes for chocolate were invented to fit the European palate by adding sugar and milk.<sup>84</sup>

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<sup>84</sup> Carol Off, *Bitter Chocolate: The Dark Side of the World's Most Seductive Sweet*, (New York: The New Press, 2006), 1-40.

The Spaniards initiated large scale cocoa production in Central America during the 16<sup>th</sup> century. Cocoa cultivation spread to the British, French, and Dutch West Indies (Jamaica, Martinique, and Surinam) in the 17<sup>th</sup> century and to Brazil in the 18<sup>th</sup> century. Cocoa production continued to thrive during the 19<sup>th</sup> century, primarily on large-scale plantations in South America. As with other commodities, cocoa was produced by the labor of slaves, typically from West Africa. As Western production of cocoa increased, the demand for chocolate also grew. This is largely because chocolate was made affordable to the mass market thanks to Conrad J. Van Houten's invention of the cocoa press in 1828, which efficiently removed cocoa powder from cocoa butter and allowed for the creation of the first chocolate bar.<sup>85</sup> In the late 19<sup>th</sup> century, as diseases began to destroy cocoa crops in Latin America, cocoa production shifted to Africa. Colonialists began to cultivate cocoa on a large scale in Western Africa, initially on the Portuguese islands, São Tomé and Príncipe. Although slavery was officially abolished by the time cocoa reached Africa, the use of forced labor on cocoa plantations in São Tomé and Príncipe was widespread.<sup>86</sup>

## **2.1 Forced Labor on Cocoa Plantations in São Tomé and Príncipe**

A colonial scandal arose in the early 1900s as news came out that labor practices disconcertingly similar to slavery were alive and flourishing on Portuguese cocoa plantations in São Tomé and Príncipe. The abolition of slavery was fresh in Westerners' minds and many were shocked to hear that slavery continued under another name, especially because the laborers on cocoa plantations in São Tomé and Príncipe were

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<sup>85</sup> Antislavery International, "The Cocoa Industry in West Africa: A History of Exploitation," 2004, [http://www.antislavery.org/includes/documents/cm\\_docs/2008/c/cocoa\\_report\\_2004.pdf](http://www.antislavery.org/includes/documents/cm_docs/2008/c/cocoa_report_2004.pdf): 5.

<sup>86</sup> Antislavery International, "The Cocoa Industry in West Africa: A History of Exploitation," 5.

supposed to be ‘free.’ The British were particularly incensed by this discovery as much of their chocolate came from cocoa produced on Portuguese plantations. The British Anti-Slavery Society, a leader of British abolitionist movement since 1823, wrote out of revulsion in its *Anti-Slavery Reporter* about the “existence of slave trading and brutal treatment of the contract labourers in the Portuguese colony of Angola and in the islands of [São Tomé ] and Príncipe.”<sup>87</sup>

Like most other European powers, Portugal had abolished slavery in all of its colonies, including Angola, during the 1870s. But, as cocoa plantation owners were still in need of laborers, colonial authorities developed an elaborate labor recruitment scheme, which saw hundreds of thousands of workers transported large distances to labor on plantations.<sup>88</sup> These schemes theoretically depended on individuals consenting to five-year work contracts, which stated that the native had “come of his own free will to contract for his services.”<sup>89</sup> The colonial curator general of Angola was supposed to ensure that the contract was legal and contained sufficient provisions including those related to hours of work, wages, food, and clothing, as spelled out under Portuguese law. The contract was also supposed to confirm that native Angolans were voluntarily agreeing to work on the cocoa plantations. Laborers could renew their contract after five years, but allegedly could voluntarily leave when their five years of work were over. The laborer and the employer were to sign the contract in the presence of a magistrate, and magistrates were required to visit the districts to make sure the contract was being

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<sup>87</sup> British and Foreign Anti-Slavery Society, “Forced Labour in Angola,” *The Anti-Slavery Reporter*, March-May, 1903, 60.

<sup>88</sup> Quirk, *The Anti-Slavery Project*, 107.

<sup>89</sup> Lowell Satre, *Chocolate on Trial: Slavery, Politics, and the Ethics of Business* (Athens: Ohio University Press, 2005), 7.

honored and that any children born to the laborer were free.<sup>90</sup> On paper, the contract labor system looked fair and beneficial to both employer and laborer.

However, in reality the colonial labor scheme was based on either absolute coercion or varying levels of deception. Many reports demonstrated that workers were not actually able to leave the plantations once they arrived, worked under inhumane conditions, and had often not voluntarily committed themselves to the labor.<sup>91</sup>

One harrowing report which brought this issue to the international limelight was written by Henry Nevinson in 1906, who on an assignment from *Harper's Monthly Magazine*, travelled to Angola to investigate labor conditions on the cocoa plantations. In his, *A Modern Slavery*, Nevinson described his journey along the long route from Angola to the plantations on São Tomé and Príncipe, writing about how the colonial labor scheme was much different in person on this paper. He first highlighted the falsities within the labor contract system. Unlike reports from Portuguese colonial officials, Nevinson found that most laborers did not voluntarily agree to sign a work contract out of a desire to go work on cocoa plantations. Rather in practice, Nevinson found that colonial "labor merchants" went far into the interior of Angola in search of laborers. There the merchant bargained with a chief who provided a specific number of men, women, and children in exchange for goods like guns, rum, and cotton. In other cases the merchant played off of local power dynamics and "sold his services to one of two tribes at war, his payoff being the right to purchase captives."<sup>92</sup> Nevinson offered several reasons why native Angolans may end up as contract laborers, none of them being voluntary:

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<sup>90</sup> Lowell Satre, *Chocolate on Trial: Slavery, Politics, and the Ethics of Business*, 7.

<sup>91</sup> Antislavery International, "The Cocoa Industry in West Africa: A History of Exploitation," 5.

<sup>92</sup> Satre, *Chocolate on Trial: Slavery, Politics, and the Ethics of Business*, 7.

“Some had broken native customs or Portuguese laws, some had been charged with a witchcraft by the medicine-man because a relative had died, some could not pay a fine, some were wiping out an ancestral debt, some had been sold by uncles in poverty, some were the indemnity for village wars, some had been raided on the frontier, others had been exchanged for a gun; some had been trapped by Portuguese, others by Bihéan thieves; some were but changing masters.”<sup>93</sup>

Clearly local power dynamics and forms of slavery contributed to the supply of laborers for the colonial scheme, meaning that Portuguese colonial authorities were not the only ones implicated in the enslavement of native Angolans.

However, Nevinson found that exploitation of the laborers did not stop at the recruitment process, but also discovered much fraud within the contract system. After the initial ‘recruitment,’ workers were marched for extremely long distances to a port typically in the town of Benguela, where ships were sent off to the islands of São Tomé and Príncipe. On Nevinson’s journey along this path, he encountered small caravans of ‘workers’ escorted by armed guards as well as countless “skeletons of slaves who [were] unable to keep up with the march, and so were murdered or left to die.”<sup>94</sup> Once in Benguela the laborers were taken to a colonial tribunal office where a colonial official asked them if they were willing to work on cocoa plantations under the regulations of the contract described above. Nevinson angrily wrote that “no attention of any kind is paid to their answer. In most cases no answer is given. Not the slightest notice would be given of a refusal.”<sup>95</sup> Clearly the contract failed in its primary purpose: guaranteeing that native Angolans had voluntarily offered their labor services. Nevinson could not believe that slavery could be so cleverly covered up by legal proceedings, writing:

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<sup>93</sup> Henry Nevinson, *A Modern Slavery*, (London: Harpers and Brothers Publishers, 1906), 170. Found in Satre, *Chocolate on Trial: Slavery, Politics, and the Ethics of Business*, 7.

<sup>94</sup> Nevinson, *A Modern Slavery*, 111.

<sup>95</sup> Nevinson, *A Modern Slavery*, 172. Found in Satre, *Chocolate on Trial: Slavery, Politics, and the Ethics of Business*, 8.

“The climax of the farce has now been reached. The deed of pitiless hypocrisy has been consummated. The requirements of legalized slavery have been satisfied. The government has ‘redeemed’ the slaves which its own Agents have so diligently and profitably collected. They went into the Tribunal as slaves, they have come out as ‘contracted laborers.’ No one on heaven or earth can see the smallest difference, but...by the excuse of law [Portugal] smooths her conscience and whitens over one of the blackest crimes which even Africa can show.”<sup>96</sup>

Nevinson found that the contract also failed to protect the laborers while they

were on the plantations. On the cocoa plantations, men, women, and children did not have control over their labor and were forced to toil for extremely long hours. They were paid a very meager wage (much less than the 1903 minimum Portuguese wage) with coins that could only be used at the plantation shop. Nevinson noted that corporal punishment was common, but didn’t find the treatment of slaves to be completely horrific, because the plantation owners had an interest in keeping the laborers alive.<sup>97</sup> However, the death rate on the plantations was high. According to a British consular, the death rate on Principe’s plantations was around twenty percent per year in 1901. Doctors typically attributed death to “anemia” caused by unhappiness and homesickness.<sup>98</sup>

Additionally Nevinson noted that the main issue with this labor system was the loss of liberty for the workers. They were not free to leave the plantation and Nevinson recounted reports of laborers who had escaped the plantation, but were later found hiding in the forest and were returned by colonial officials to their plantation owners.

Additionally by law, the labor contracts had to be renewed after five years. Nevinson found that the curator approved and signed the renewals in batches, without ever consulting the laborers. He could not find one report of a laborer who had ever returned

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<sup>96</sup> Nevinson, *A Modern Slavery*, 29-31. Found in Satre, *Chocolate on Trial: Slavery, Politics, and the Ethics of Business*, 8.

<sup>97</sup> Satre, *Chocolate on Trial: Slavery, Politics, and the Ethics of Business*, 11.

<sup>98</sup> Satre, *Chocolate on Trial: Slavery, Politics, and the Ethics of Business*, 7.

to Angola from a cocoa plantation.<sup>99</sup> In summary Nevinson concluded that the “difference between the ‘contract labor’ of Angola, and the old-fashioned slavery of our grandfathers’ time is only a difference of legal terms. In life there is no difference at all.”<sup>100</sup>

When Nevinson published his report, the Portuguese government tried to argue that the slavery he described did not actually exist and the chocolate companies criticized his report, claiming that it was exaggerated. This was a fairly common response to reports of slave labor in colonial Africa, particularly because of the gap between formal policies and actual practices, meaning that colonial policies looked less offensive on paper than they did in practice. This allowed colonial labor issues to hide behind the façade of legitimacy and “defenders of the status quo were able to routinely dismiss reports of abuse as exceptional events or isolated incidents that were in no way representative of otherwise legitimate policies.”<sup>101</sup> British chocolate companies also had a reason to criticize Nevinson’s report, because the British public’s response, headed by the Anti-Slavery Society, was to immediately boycott all chocolate. British consumers particularly targeted William Cadbury, the owner of the main chocolate company at the time, because he was an ‘idealistic capitalist’ and took pride in his ethical business practices in his factories. Additionally, other smaller chocolate companies were also criticized, including Frys, Rowntrees and the Stollwerck chocolate firm of Cologne.<sup>102</sup>

In turn, these four chocolate companies sent their own reporter, Joseph Burtt, to investigate the situation in Angola. Burtt wrote his report in 1908 and confirmed

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<sup>99</sup> Satre, *Chocolate on Trial: Slavery, Politics, and the Ethics of Business*, 11.

<sup>100</sup> Nevinson, *A Modern Slavery*, 37.

<sup>101</sup> Quirk, *The Anti-Slavery Project*, 106.

<sup>102</sup> Off, *Bitter Chocolate: The Dark Side of the World’s Most Seductive Sweet*, 63-65.



Nevinson's findings about the existence of forced labor on the cocoa plantations. Burt testified that Angolan people were taken to the islands "against their will, and often under conditions of great cruelty," and that it was extremely unlikely that any returned to their homeland.<sup>103</sup> At this point, the chocolate companies could no longer ignore the allegations of slavery in their raw material source, so they boycotted Portuguese cocoa and instead began to import cocoa from the British gold coast of Ghana.<sup>104</sup>

Unfortunately this did not actually eliminate the use of forced labor on São Tomé and Príncipe. Chocolate production did die out in São Tomé and Príncipe as plantation owners were unable to prove to chocolate firms and humanitarians that labor on the islands was voluntary or that the workers were well-treated. However, under the colonial government, the islands and Angola continued to use coercive labor in the mining and rail road industries into the second half of the twentieth century.<sup>105</sup> For instance, Basil Davidson, a leading 'Africanist' of the twentieth century, estimated 379,000 Angolans were under forced-labor contracts in 1954.<sup>106</sup> Official forced labor practices ended with Angola's independence in 1975, however there are still reports of the use of forced labor in the diamond mining industry in Angola today.<sup>107</sup> While it is not clear whether the forced labor found in Angola today has any connection to colonial forced labor, it is clear that the response to slavery on cocoa plantations was not strong enough to truly root out slavery from Angola.

Understanding the limitations of this response is a helpful starting point as we both examine and develop solutions to current coercive labor practices in cocoa

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<sup>103</sup> Antislavery International, "The Cocoa Industry in West Africa: A History of Exploitation," 5.

<sup>104</sup> Off, *Bitter Chocolate: The Dark Side of the World's Most Seductive Sweet*, 63-75.

<sup>105</sup> Satre, *Chocolate on Trial: Slavery, Politics, and the Ethics of Business*, 208.

<sup>106</sup> Satre, *Chocolate on Trial: Slavery, Politics, and the Ethics of Business*, 211.

<sup>107</sup> "Diamonds," Verité, accessed March 17<sup>th</sup>, 2014, <https://www.verite.org/Commodities/Diamonds>.

production. First, we can learn from the difficulties that arise when addressing coercive labor practices in the post-abolition era. Particularly, examining the ‘contract’ element in this form of forced labor, which allegedly proved the laborers were working on free and equitable terms, should make us cautious of agreements or labels that may at a first glance, cover up the reality of an exploitative situation. It is also important to be wary of arguments that tend to justify slavery-like practices, such as those in Nevinson’s time which were used to argue that “plantation life is not in reality worse than the working-people’s life in most of our manufacturing towns” or from the life they would otherwise be living in Africa.<sup>108</sup>

Secondly, we see the unintended consequences of solutions to unfair labor practices that do not actually deal with the labor issues themselves. In this case, the main solution was to boycott Portuguese cocoa, but this did not change the fact that forced labor continued to be used until at least the mid-20<sup>th</sup> century in Angola. As I will argue in the third chapter, this is why a multi-faceted approach to ending slavery is so essential.

Finally, this is one of the first cases where questions about global corporate social responsibility were addressed. As reports of forced labor on Portuguese plantations surfaced, it was unclear who was responsible for doing something about the labor issue. Was it the responsibility of Cadbury and other chocolate companies that were directly profiting from this forced labor or was it the responsibility of the Portuguese curators that were originally supposed to enforce the regulations of the labor contract? The British government was also criticized for not taking action, and historian Lowell Satre suggests that they may have actively been keeping a lid on the cocoa-slavery debate, because they were negotiating deals with the Portuguese to get cheap labor supply from Mozambique

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<sup>108</sup> Nevinson, *A Modern Slavery*, 37.

to support their mining industry in Rhodesia and South Africa.<sup>109</sup> In the end, the Cadburys and other main chocolate companies received the most blame and temporarily ‘solved’ the problem by boycotting Portuguese cocoa. The question of who was responsible for coercive labor practices on a global scale was never fully addressed and is still highly contested today, particularly since global production has increasingly become more complicated. It will be important to keep these questions in mind as we move into a study of coercive labor in cocoa production today.

## 2.2 INTRODUCTION OF COCOA TO WEST AFRICA

In contrast to the large scale production of cocoa on Portuguese plantations in Angola, São Tomé, and Príncipe, cocoa production began on smallholder farms in West Africa. The less-labor intensive traditional African farming methods, although criticized at the time, actually made small African cocoa farms more profitable than large plantations, especially because cocoa thrived when mixed with traditional food crops.<sup>110</sup> Today, cocoa continues to be grown on an estimated two million smallholder farms in West Africa. This will be important to remember when we get into issues of coercive labor in cocoa production today. The small-scale nature of cocoa production makes it harder to estimate how extensive coercive labor is in cocoa production and makes monitoring the labor chain much more complicated, because unlike the case in São Tomé and Príncipe where numerous workers were exploited on a single plantation, today workers are exploited on small, rural farms that are hard to reach. This picture also gets more complicated when we consider that some exploited laborers are children who are laboring

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<sup>109</sup> Off, *Bitter Chocolate: The Dark Side of the World's Most Seductive Sweet*, 66-67.

<sup>110</sup> Antislavery International, “The Cocoa Industry in West Africa: A History of Exploitation,” 6.

under hazardous or coercive working conditions. Some of these children have been trafficked to the farms they work on, but some children are considered to be laboring under the ‘worst forms of child labor’ even though they are working on their own family’s farm. While I will get into the details of current coercive labor practices later on, it is important to note ahead of time that we are not talking about slavery on large-scale cocoa plantations, but on small family farms.

## 2.3 HISTORY OF COCOA PRODUCTION IN GHANA

In order to better understand the current pre-conditions of coercive labor in cocoa production in Ghana, I will first provide an overview of the history of cocoa production in Ghana as this offers important insight into the way cocoa is now produced and exported. The introduction of cocoa to Ghana is attributed to Tetteh Quarshie, who in 1876 brought pods back from Fernando P (Bioko) an island off the coast of Cameroon that was another early cocoa-producing colony in Africa. One of the main reasons cocoa became a popular crop among farmers is partially because of the fall in prices of other commodities at the time. During the late nineteenth century and early twentieth century, a farmer could earn approximately ten times more from cocoa than palm oil. Colonial authorities also encouraged cocoa cultivation and provided some support in the form of seed and training. Ghana began exporting cocoa in 1891 and within 20 years was the world’s largest producer, exporting almost 40,000 tons. Exportation rates increased throughout the first half of the twentieth century.<sup>111</sup>

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<sup>111</sup> Antislavery International, “The Cocoa Industry in West Africa: A History of Exploitation,” 6.

### 2.3.1 Cocoa Production in Ghana under Colonial Rule

During the 1930s and early 1940s, cocoa farmers sold their beans directly to large exporters like the United Africa Company, a British-based company who held the monopoly on the sale of Ghanaian cocoa beans. From this company, cocoa beans were then sold to big chocolate manufacturers like the Cadbury firm. However, after some time producers began to feel that they were being cheated by the United Africa Company, because the farmers rarely benefited from increases in international prices, but suffered when prices decreased. The colonial government, fearing unrest, decided to establish a marketing board in 1947.<sup>112</sup> The Ghana Cocoa Board (or Cocobod) fixed the farm-gate price, which is the price of a product when it is sold by the farmer after marketing prices have been subtracted, and also constitutes the price farmers actually receive for their crop.<sup>113</sup> Establishing a boundary between farmers and companies like the United Africa Company, the Ghana Cocoa Board sold cocoa to multinational buyers on behalf of smallholders, which in theory was supposed to increase producer bargaining power in the world market.<sup>114</sup>

### 2.3.2 Cocoa Production in Ghana after Independence

Nkrumah took office after Ghana gained independence in 1957. There is evidence that Nkrumah used the cocoa tax money for his own intermittent spending and to increase the wealth of his government officials, which ultimately increased national debt and harmed the Ghanaian economy.<sup>115</sup> Ghana's economic struggles worsened when world cocoa

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<sup>112</sup> Sarah Grossman-Greene and Chris Bayer, "A Brief History of Cocoa in Ghana and Cote D'Ivoire," *Payson Center for International Development and Technology Transfer* (2009): 5-6.

<sup>113</sup> "Farm Gate Value," Wikipedia, accessed March 17, 2014, [http://en.wikipedia.org/wiki/Farm-gate\\_price](http://en.wikipedia.org/wiki/Farm-gate_price).

<sup>114</sup> Orla Ryan, *Chocolate Nations: Living and Dying for Cocoa in West Africa*, (New York: Zed Books, 2011) 12-13.

<sup>115</sup> Ryan, *Chocolate Nations: Living and Dying for Cocoa in West Africa*, 13-14.

prices fell between 1960 and 1965, reducing the government's revenue and diminishing the farmer's share of the world price as determined by the marketing board.

In 1979, John Rawlings took power through a coup. He took a different approach to ruling than Nkrumah, using brutality and violence, particularly against anyone who had money, including Cocoa Marketing Board executives (who had gained a lot of wealth during Nkrumah's rule.)<sup>116</sup> During the late 1970s there was a boom in world cocoa price, but the real price farmers received remained low, because of government price fixing and currency overvaluation (essentially another tax on farmer.) Old cocoa trees were often neglected and ruined by drought and bush fires.<sup>117</sup> By 1983 production had dropped to 160,000 tons of cocoa per year, from 500,000 tons per year in 1965 in part because there was little incentive for small holders to grow cocoa.<sup>118</sup> Rawlings managed to slightly increase the amount farmers received for their cocoa, but many farmers chose instead to smuggle their cocoa into Cote d'Ivoire where they could get much better prices.

### **2.3.3 Economic Liberalization in Ghana**

The cocoa sector suffered during the economic decline in the 1960s and 1970s, but began to recover in the 1980s under the Economic Recovery Program developed by the Rawlings regime. This was supported by the World Bank and the IMF and was focused on increasing production by improving cocoa produce prices as well as providing seedlings and insecticides to farmers. In order to adhere to Structural Adjustment Agreements, Ghana liberalized its cocoa sector in 1992 by introducing "quasi-private exporting firms." This meant that the Cocoa Marketing Board sold licenses to producer buying agents, who purchase cocoa on behalf of the Cocoa Board to create a competitive

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<sup>116</sup> Ryan, *Chocolate Nations: Living and Dying for Cocoa in West Africa*, 16-17.

<sup>117</sup> Antislavery International, "The Cocoa Industry in West Africa: A History of Exploitation," 8.

<sup>118</sup> Ryan, *Chocolate Nations: Living and Dying for Cocoa in West Africa*, 18.

environment. Today the Cocoa Board still exists and supports the industry by researching methods to improve production and quality rates.<sup>119</sup> They also still control most of the cocoa harvest, and in order to protect farmers from potential falling world prices, the Cocoa Board forecasts future prices to create the farm-gate price offered to growers by the producer buying agents it licenses.<sup>120</sup>

While the Cocoa Board sets the price producer buying agents can offer farmers for their cocoa, there is still corruption among the buying agents that hurts farmers. For instance, the buying agents have manipulated the weighing scales, so that farmers receive less than they should for their cocoa.<sup>121</sup> Also, the minimum price farmers are guaranteed for their crop is typically insufficient to provide a true living wage for farmers. Even with rising prices of beans, rural household income rarely exceeds a couple of dollars a day. Many cannot afford fertilizer or other things that can help them truly invest in their own farm.<sup>122</sup> The low price farmers receive is directly affected by the Ghanaian Cocoa Board, but is also affected by the structure of the global economy. Cocoa beans only make up a small fraction of the value of processed chocolate. Ghanaian cocoa farmers typically receive about seventy-seven cents per pound of cocoa beans, whereas an average chocolate bar earns sixteen US dollars a pound, about twenty times what a farmer gets. This means farmers receive about six percent of the final cost of a chocolate bar.<sup>123</sup> This is a product of the capitalist logic discussed in the first chapter and a significant

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<sup>119</sup> Sarah Grossman-Greene and Chris Bayer, "A Brief History of Cocoa in Ghana and Cote D'Ivoire," 10-11.

<sup>120</sup> Antislavery International, "The Cocoa Industry in West Africa: A History of Exploitation," 23-24.

<sup>121</sup> Valentine Udoh James, *Capacity Building in Developing Countries: Human and Environmental Dimensions* (Westport: Greenwood Publishing Group, 1998), 93.

<sup>122</sup> Ryan, *Chocolate Nations: Living and Dying for Cocoa in West Africa*, 23.

<sup>123</sup> Kristy Leissle, "What's Fairer than Fair Trade? Try Direct Trade with Cocoa Farmers," *Yes! Magazine*, October 4, 2013, accessed March 20, 2014, <http://www.yesmagazine.org/issues/the-human-cost-of-stuff/a-sweeter-deal-for-cocoa-farmers>.

contributor to the relative poverty of farmers. The poverty of farmers is an important precondition for coercive labor, because when farmers cannot afford to hire additional adult laborers, they may be more likely to rely on child laborers.

## 2.4 HISTORY OF COCOA PRODUCTION IN COTE D'IVOIRE

In the 1890s, the *Kru* people on the southwest border between Cote d'Ivoire and Liberia began cultivating cocoa and cocoa production spread to the southeast in the 1900s. The *Kru* stopped producing cocoa in the early 1900s, in part because of French colonial demand for forced labor for building infrastructure. Production in the southeast increased in the 1920s, largely because the depreciation of the franc increased export prices, including cocoa. Large amounts of forested land were available and extra labor was provided by the *Baoulé* from central Cote d'Ivoire and the *Bété* from the southwestern forests. Many of these migrants moved to cocoa producing areas in the southeast to avoid forced labor and the presence of a harsh colonial regime at home. Often these farmers worked under an *Abusa* contract (sharecropping), where the migrant worker kept one third of the income from the crop and gave the rest to the landowner. French colonial authorities encouraged the *Mossi* people from Burkina Faso to migrate to Cote d'Ivoire and work on cocoa farms.<sup>124</sup> In 1946, French colonial forced labor was abolished, which helped cocoa production increase further in Cote d'Ivoire. With greater freedom of movement for Africans, cocoa production moved westwards across untouched forested area, supported by high world commodity prices in the 1950s. Often young people started their own farms, which was in contrast to the previous social order under which they would have worked on their parent's farm.

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<sup>124</sup> Antislavery International, "The Cocoa Industry in West Africa: A History of Exploitation," 7.



### **2.4.1 Cocoa Production in Cote d'Ivoire after Independence**

Cocoa production continued to expand after independence in 1960, encouraged by the government's opening of forest reserves. Production was aided by abundant migrant labor from Mali and Burkina Faso.<sup>125</sup> Felix Houphouet Boigny, Cote d'Ivoire's first president after independence, implemented policies to expand cocoa production in Cote d'Ivoire by welcoming immigrants to work on cocoa farms in Cote d'Ivoire and by making land freely available to those that wanted to work it. Boigny's openness to foreigners in conjunction with colonialism made the borders in Cote d'Ivoire loose and allowed for a continual flux in Ivorian identity.<sup>126</sup> The use of migrant labor at this time was useful in building up the Ivorian economy at this time, but eventually became a major source of conflict as I will discuss later.

### **2.4.2 Economic Liberalization in Cote d'Ivoire**

Like Ghana, Cote d'Ivoire maintained the cocoa marketing structure it had inherited from the French Colonial government. Rather than the marketing board system Ghana had however, Cote d'Ivoire used a *caisse* system, called the Caisse de Stabilisation et du Soutien des Prix des Produits Agricoles (CAISTAB), which was created in 1964 on the basis of stabilization funds for cocoa established by the French in 1955. Like a marketing board system, a *caisse* system sets the purchase price for farmers, collects taxes, and compensates for any decreases in the price paid to exporters while continuing to pay a guaranteed price to farmers.<sup>127</sup> However, unlike a marketing board system a *caisse* system does not take direct ownership of cocoa, but rather delegates purchasing of cocoa

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<sup>125</sup> Antislavery International, "The Cocoa Industry in West Africa: A History of Exploitation," 7.

<sup>126</sup> Ryan, *Chocolate Nations: Living and Dying for Cocoa in West Africa*, 27.

<sup>127</sup> Antislavery International, "Ending Child Trafficking in West Africa: Lessons from the Ivorian Cocoa Sector," 2009, <http://www.youtube.com/watch?v=ekzHIouo8Q4&list=RDOPQFFLBMEPI>: 11.

to private agents that are licensed by the caisse board.<sup>128</sup> The advantages of the caisse marketing system are similar to the Ghanaian marketing board in that the caisse system can protect farmers from market fluctuations and ensure each producer earns the same amount for their crop. However, like the Ghanaian marketing board system, the caisse system allows for bureaucratic inefficiency and corruption which can increase marketing costs and in turn decrease the farm-gate price for the producers.<sup>129</sup>

Although CAISTAB was in place, Cote d'Ivoire was still vulnerable to economic fluctuations of world cocoa prices. Cocoa prices peaked in the 1970s, but steadily declined afterwards as heightened production led to oversupply. In the 1980s, consuming countries decided to build up reserves of cocoa, taking advantage of falling prices to regulate the market to their advantage. In 1999/2000, reserves of cocoa accounted for fifty percent of world consumption. Prices fell rapidly in 1985 and were halved in 1989 when Cote d'Ivoire attempted to stockpile cocoa, but were forced to abandon this. The price paid to farmers was halved again in 1994. Recognizing the limitations of the caisse marketing system, the World Bank and IMF encouraged Cote d'Ivoire to liberalize, which eventually lead to the dissolution of CAISTAB in 1999, and again halved the price paid at the farm. CAISTAB was later replaced by the BCC (Bourse du Café et Cacao) and ARCC (Coffee and Cocoa Regulatory Authority), which were supposed to establish a minimum price for cocoa and protect against large exporters monopolizing supplies at the expense of small exporters and farmers, by establishing a limit on the quantity of cocoa that can be purchased by an individual exporter during each quarter. However, it is not

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<sup>128</sup> Antislavery International, "The Cocoa Industry in West Africa: A History of Exploitation," 23.

<sup>129</sup> Antislavery International, "The Cocoa Industry in West Africa: A History of Exploitation," 23.

apparent that either of these regulations was effectively enforced.<sup>130</sup> Despite liberalization efforts, the world price of cocoa continued to decrease falling from \$2,600 per ton in 1980 to \$900 per ton in 2000.<sup>131</sup> As cocoa prices declined, farmers were especially negatively affected and found it increasingly difficult to access credit. During this time, local exporters slowly disappeared and multinational corporations began to have more control over prices and conditions.<sup>132</sup>

A major issue with market liberalization in Cote d'Ivoire is that it occurred without ever having putting mechanisms in place to safeguard production, quality and producer incomes. This is more of a critique of the display of capitalist logic within liberalization, because liberalizing the market is inherently not intended to protect the interests of small farmers. Because of this cocoa marketing and distribution networks disintegrated and the net income of small producers dropped drastically, undermining their ability to participate in the cocoa market on equitable terms. There was also a lack of true competition along the supply chain, which added to the depression of prices.<sup>133</sup> Farmers were also increasingly vulnerable to volatile world cocoa prices which fluctuated in relation to New York and London's stock markets which were sensitive to "rumors, anticipation of stock depletions, bad harvests and weather-related or political events."<sup>134</sup> Price volatility was also exaggerated by macroeconomic conditions in OECD countries and by trading cocoa on futures markets where the volume of cocoa traded in futures

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<sup>130</sup> Antislavery International, "The Cocoa Industry in West Africa: A History of Exploitation," 24.

<sup>131</sup> Antislavery International, "Ending Child Trafficking in West Africa: Lessons from the Ivorian Cocoa Sector," 11.

<sup>132</sup> Antislavery International, "Ending Child Trafficking in West Africa: Lessons from the Ivorian Cocoa Sector," 11.

<sup>133</sup> Antislavery International, "Ending Child Trafficking in West Africa: Lessons from the Ivorian Cocoa Sector," 11.

<sup>134</sup> Antislavery International, "Ending Child Trafficking in West Africa: Lessons from the Ivorian Cocoa Sector," 11.

contracts was ten times higher than actual world production levels. Because there were no mechanisms in place to protect producer incomes, small farmers did not in advance what price they would receive and were not able to effectively negotiate prices with traders who were better informed about world prices. Today, cocoa marketing is still controlled by private traders, and the price farmers actually receive in Cote d'Ivoire is less than Ghana. Small producers' inability to participate in cocoa markets on equitable terms continues to create a financial burden on Ivoirian farmers. Also, just as in Ghana, the nature of the global economy creates a reality where the cocoa farmers who work intensively to harvest cocoa beans are paid a small fraction of the value of a chocolate bar. Like farmers in Ghana, farmers in Cote d'Ivoire are poor which creates an economic pre-condition for the use of coercive labor.

#### **2.4.3 Immigration Issues and Civil War**

In addition to economic pre-conditions related to the poverty of cocoa farmers in Cote d'Ivoire, there are other important social and political pre-conditions to consider. One such pre-condition is the status of migrant laborers in Cote d'Ivoire, which in the last couple of decades has been fiercely contested. By the end of President Boigny's rule in the 1990s, problems concerning migrant cocoa laborers had become rampant. During the cocoa boom, migrants bought land from Western ethnic landowners who lived and worked in cities like Abidjan, but owned land out in rural regions. However, when the economy began to deteriorate in the late 1980s, those who had sold their land came back to the rural regions from the cities and wanted their land back. Conflicts over who truly owned the land arose, particularly since land ownership had not been well documented in

the past, and many migrants who had been farming the land for generations were suddenly uprooted from the land and their whole livelihood.<sup>135</sup>

After Boigny's death in 1993, ethnic identity assumed a much larger and divisive importance. There was much discussion on the concept of Ivoirite': what makes a true Ivorian. Many 'foreigners' did not have birth certificates or passports to protect their rights, and were targeted in large scale politics, while also being forced off of their land.<sup>136</sup> Because the correct papers determine an individual's right to own land, move freely, and vote in Cote d'Ivoire, those without papers or with the wrong ones were stateless no matter how long they had lived there.<sup>137</sup>

In 1999 there was a coup and a struggle for power. Elections were held in 2000, but were dominated by the debate over ethnic identity and only one-third of eligible voters turned out, because many supported a candidate who was not allowed to run, because he was not 'Ivoirian' enough.<sup>138</sup> In 2002, rebels took over northern Cote d'Ivoire and violence against foreigners increased. The government at least tolerated, if not supported the militias who promoted this violence.<sup>139</sup> According to one human rights activist Ryan interviewed, "Cocoa is the spoils of war, it has accentuated it, it did not light it, it is an old system.' The real issues are land and identity."<sup>140</sup> The issue of who or isn't Ivorian is still a major concern and unfortunately has led to thousands of deaths and the displacement of hundreds of thousands of people.<sup>141</sup>

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<sup>135</sup> Ryan, *Chocolate Nations: Living and Dying for Cocoa in West Africa*, 28-29.

<sup>136</sup> Ryan, *Chocolate Nations: Living and Dying for Cocoa in West Africa*, 32.

<sup>137</sup> Ryan, *Chocolate Nations: Living and Dying for Cocoa in West Africa*, 40.

<sup>138</sup> Ryan, *Chocolate Nations: Living and Dying for Cocoa in West Africa*, 33-34.

<sup>139</sup> Ryan, *Chocolate Nations: Living and Dying for Cocoa in West Africa*, 34-35.

<sup>140</sup> Ryan, *Chocolate Nations: Living and Dying for Cocoa in West Africa*, 36.

<sup>141</sup> Ryan, *Chocolate Nations: Living and Dying for Cocoa in West Africa*, 40.

There are couple of reasons why this recent history in Cote d'Ivoire creates important pre-conditions to coercive labor. First, the tension over migration rights has displaced some immigrant laborers, who used to farm the land in Cote d'Ivoire, and are now more susceptible to labor exploitation. Also, the concept of Ivoirite', has created prejudices against migrants from Mali and Burkina Faso by Ivoirians. This is a major concern when we consider that the majority of children trafficked to Ivoirian cocoa farms are from Mali and Burkina Faso. Part of the reason these children are subject to exploitation when they arrive in Cote d'Ivoire, could very well be because of the discrimination against them because of their ethnic identity. Secondly, the political chaos caused by the recent civil war, has made the government much less effective at enforcing and monitoring labor laws. Similarly, the instability has also made it more difficult for international organizations to aid farmers and workers in Cote d'Ivoire, particularly making it harder to find and help those trapped in coercive labor.

#### 2.4.3.1 Culture of Migration

Immigration has been a source of conflict in Cote d'Ivoire, but has also developed a culture of migration in which it has become common for young people to migrate from Burkina Faso and Mali to seek work in Cote d'Ivoire. While there is a long history of discrimination against migrants from Burkina Faso and Mali in Cote d'Ivoire, it is important to understand why young people continue to migrate. The relatively endless supply of cheap labor from Burkina Faso and Mali is certainly a pre-condition for coercive child labor in Cote d'Ivoire. Part of the reason people are eager to migrate to Cote d'Ivoire is because of the high rates of poverty in their home countries. In Mali fifty-nine percent of the population lives in poverty and in Burkina Faso forty-six percent

of the population lives in poverty. Across the region, there has long been a culture of migration, where young men about 18-21 years old traveled to Cote d'Ivoire to work for three years and establish themselves in their adult life. During the era of rapid cocoa expansion, many of these migrants had success in Cote d'Ivoire, which has long been painted as a country of progress and possibility. With the fall in price of cocoa beginning in the 1980s, wages were reduced for farm workers, attracting less young men to this time of work. Cocoa farmers in Cote d'Ivoire then resorted to employing younger boys as their economic situation deteriorated, which increased the prevalence of child labor.<sup>142</sup> Today, children still choose to migrate, because they want to give back to their parents and to begin preparing for adult life, in which they would need some form of income to build a house and pay a dowry.<sup>143</sup> Also because child migration has been fairly common in the region, it has become part of the culture and constitutes a status symbol, "signaling strength of character, hope and prosperity."<sup>144</sup> Some children migrate successfully and make a living for themselves in Cote d'Ivoire, which is why child migration is still culturally valued. However, others are not so lucky and are instead exploited, which is the case when children are trafficked into coercive labor on cocoa farms. While child trafficking is not the only form of contemporary slavery in cocoa production in West Africa, it is certainly a major issue which I will discuss below.

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<sup>142</sup> Antislavery International, "Ending Child Trafficking in West Africa: Lessons from the Ivorian Cocoa Sector," 12.

<sup>143</sup> Antislavery International, "Ending Child Trafficking in West Africa: Lessons from the Ivorian Cocoa Sector," 17.

<sup>144</sup> Antislavery International, "Ending Child Trafficking in West Africa: Lessons from the Ivorian Cocoa Sector," 28.

## 2.5 FORMS OF COERCIVE LABOR IN COCOA PRODUCTION

Currently, the main exploitative labor practice in cocoa production in Ghana and Cote d'Ivoire is the worst form of child labor. Before evaluating the nature of child labor in cocoa production in West Africa, I will first provide definitions and laws regarding child labor .

### 2.5.1 Definitions and Laws Regarding Child Labor

As stated in the introduction, like any form of contemporary slavery, child labor involves a wide spectrum of practices. The ILO distinguishes between two categories of child labor: i) light work and ii) worst forms of child labor. As specified by the ILO, "light work" can only include economic activities that are: "(a) not likely to be harmful to [children's] health or development; and (b) not such as to prejudice their attendance at school, their participation in vocational orientation or training programmes approved by the competent authority, or their capacity to benefit from the instruction received."<sup>145</sup> The ILO also clarifies that the hour threshold for permissible light work should be determined by national legislation, but should be no more than fourteen hours per work.<sup>146</sup> Many children in Cote d'Ivoire engage in light work by helping their parents on the cocoa farm. This form of child work is generally considered acceptable at an international level as long as it does not take away from the child's well-being or require that they engage in hazardous work.

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<sup>145</sup> International Labor Organization, "Report of the 18<sup>th</sup> International Conference of Labour Statisticians," 2008, [http://www.ilo.org/wcmsp5/groups/public/---dgreports/---stat/documents/meetingdocument/wcms\\_101467.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---stat/documents/meetingdocument/wcms_101467.pdf). Found in Tulane University, "Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labor in the Cocoa Sector in Cote d'Ivoire and Ghana."

<sup>146</sup> International Labor Organization, "Report of the 18<sup>th</sup> International Conference of Labour Statisticians."



The second category is the worst forms of child labor in which the ILO distinguishes between hazardous work and the worst forms of child labor other than hazardous work. The ILO defines hazardous work as:

(a) work which exposes children to physical, psychological or sexual abuse; (b) work underground, under water, at dangerous heights or in confined spaces; (c) work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads; (d) work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health; and (e) work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.”<sup>147</sup>

Additionally, Ghana and Cote d’Ivoire each outline hazardous child labor activities as outlined below.

#### **Prohibited Hazardous Child Labor Activities in Ghana:**

Economic activities prohibited for children under 18 years working on cocoa:

- Clearing of forest and/or felling of trees;
- Bush burning;
- Working with agrochemicals, i.e. purchasing, transport, storage, use (mixing, loading and spraying/applying), washing of containers and spraying machine, and disposal;
- Being present or working in the vicinity of farm during pesticide spraying, or reentering a sprayed farm within less than 12 hours of spraying;
- Using machetes/long cutlasses for weeding;
- Climbing trees higher than 3 meters (9 feet) to cut mistletoe with cutlass;
- Working with motorized mist blower, knapsack sprayer and/or chainsaw;
- Harvesting overhead cocoa pods with harvesting hook;
- Breaking cocoa pods with breaking knife;
- Carrying heavy load beyond permissible carrying weight, i.e. above 30% of body weight for more than 2 miles (3km);
- Working on the farm for more than 3 hours per day or more than 18 hours per week (for children on weekends, holidays and/or have completed school);
- Going to or returning home from the farm alone or working on farm between 6:00 p.m. and 6:00 a.m.;
- For children in school, working more than 2 hours/day on a school day;

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<sup>147</sup> International Labor Organization, “Report of the 18<sup>th</sup> International Conference of Labour Statisticians.”

- Working without adequate basic foot and body protective clothing (e.g. long sleeves, trousers, Wellington boots and ‘Afro Moses’);
- A child working alone on the farm in isolation (i.e. beyond visible or audible range of nearest adult);
- A child withdrawn from school during cocoa season to do farm work; and
- Working full time on farm and not attending formal/non-formal school (applicable to children under 15 years).

*Source: Government of Ghana, Ministry of Manpower, Youth and Employment, Hazardous Child Labour Activity Framework, June 2008. (Found in Tulane University, “Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labor in the Cocoa Sector in Cote d’Ivoire and Ghana.”)*

### **Prohibited Hazardous Child Labor Activities in Cote d’Ivoire:**

Economic activities prohibited for children under 18 years working in agriculture:

- Cutting of trees;
- Burning of fields;
- Application of chemicals (insecticides, herbicides, fungicides, etc.);
- Application of chemical fertilizer;
- Chemical treatment of fields/plants; and
- Carrying of heavy loads

*Source: Government of Cote d’Ivoire, Ministry of Civil Service and Labor, Arrêté. (Found in Tulane University, “Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labor in the Cocoa Sector in Cote d’Ivoire and Ghana.”)*

Regardless of whom children are working for (their parents are a non-relative employer), they are considered child laborers if they are working in hazardous conditions under eighteen years of age. Also, comparing Box 1 and Box 2, we see that Ghana has many more well-defined regulations about child labor than Cote d’Ivoire, which may indicate that Cote d’Ivoire needs to improve its child labor legislature.

The worst forms of child labor other than hazardous work includes “children trafficked for work; forced and bonded child labor; commercial sexual exploitation of children; use of children for illicit activities and armed conflict.”<sup>148</sup> In the context of cocoa agriculture, forced labor and trafficking are the most relevant. Like adults, children

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<sup>148</sup> International Labor Organization, “Report of the 18<sup>th</sup> International Conference of Labour Statisticians.”

are considered to be in forced labor if any element of their situation falls under the ILO definition of forced labor from the introductory chapter (coercion by physical or mental threat, control by an employer, treated as a commodity, or are physically constrained.) However, the UN adds to the above by defining the forced labor of children as “any institution or practice whereby a child or young person under the age of 18 years, is delivered by either or both of his natural parents or by his guardian to another person, whether for reward or not, with a view to the exploitation of the child or young person or of his labor.”<sup>149</sup> Similarly the UN defines child trafficking as the “recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation.”<sup>150</sup> Exploitation includes: all forms of slavery including debt bondage and forced labor, work which is likely to harm the health, safety or morals of the children, and work done by children below the minimum employment age.<sup>151</sup>

There are also minimum working age restrictions in place. The ILO Convention 138 on the Minimum Age for Admission to Employment articulates that the minimum age to be specified in conformity with the Convention shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years. Developing countries may initially specify a minimum age of 14 years...Young persons

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<sup>149</sup> United Nations, “Supplemental Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery,” 1956, <https://treaties.un.org>. Found in Tulane University, “Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labor in the Cocoa Sector in Cote d’Ivoire and Ghana.”

<sup>150</sup> United Nations, “Protocol to Prevent, Suppress and Punish Trafficking in Persons.”

<sup>151</sup> International Labor Organization, “Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour,” 1999, <http://www.ilo.org/public/english/standards/relm/ilc/ilc87/com-chic.htm>. Found in Tulane University, “Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labor in the Cocoa Sector in Cote d’Ivoire and Ghana.”

of 13 to 15 years of age – or at least 15 years of age who have not finished their compulsory schooling – may be permitted to carry out light work of certain types.<sup>152</sup>

The convention also absolutely prohibits hazardous work for children under the age of sixteen. Ghana and Cote d'Ivoire also have regulations about the minimum working age for children. In Ghana, the Children's Act of 1998 (section 89) sets the minimum age for child work at fifteen years of age and sets the minimum age for light work at thirteen years of age. Section 91 of the Children's Act also prohibits hazardous work for all children less than eighteen years of age and section 87 "forbids the engagement of a child for all exploitative child labour", "if it deprives the child of its health, education or development."<sup>153</sup> In Cote d'Ivoire, the labor code states that children cannot be employed in any enterprise before the age of fourteen and may not enter into an employment contract before the age of sixteen, except in the case of vocational training programs or apprenticeships. The government also prohibits certain types of hazardous labor before the age of eighteen as outlined in box 2.

Both national and international law clearly define the boundaries of child labor and prohibit the worst forms of child labor. It is important to have an understanding of these laws before jumping into an analysis of child labor on cocoa farms in Ghana and Cote d'Ivoire, so we can appeal to them to argue that the worst forms of child labor is wrong in more than a moral sense, but represents a clear violation of human rights as

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<sup>152</sup> International Labor Organization, "Convention 138 on the Minimum Age for Admission to Employment," 1973, [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0:NO::P12100\\_ILO\\_CODE:C138](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0:NO::P12100_ILO_CODE:C138). Found in Tulane University, "Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labor in the Cocoa Sector in Cote d'Ivoire and Ghana."

<sup>153</sup> Act of the Parliament of the Republic of Ghana, "The Children's Act," 1998, <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/56216/65194/E98GHA01.htm>. Found in Tulane University, "Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labor in the Cocoa Sector in Cote d'Ivoire and Ghana."

defined by law. This will be especially important when we evaluate the worst forms of child labor on family farms, where it becomes difficult to draw the line between child work, which generally does not constitute harm to the child, and exploitative child labor, which is harmful and unacceptable by international and national law.

## 2.6 CHILD LABOR IN COTE D'IVOIRE

The 2013 Global Slavery Index, published by the Walk Free foundation, provides information on contemporary slavery in 162 countries and ranks Cote d'Ivoire as number eight on its list of the ten countries in the world with highest prevalence of contemporary slavery.<sup>154</sup> With a population of 19, 839, 750 people, it is estimated that 150,000-160,000 people are subjected to forced labor and sexual exploitation.<sup>155</sup> The majority of those that are caught in forced labor are children who find themselves in exploitative situations in agriculture, mining, fishing, construction and domestic work. In the agricultural sector, most children are engaged in the worst forms of child labor on cocoa farms; however children are also employed in the production of grains, vegetables, coffee, fruit, cotton, palm, rice and rubber.<sup>156</sup> There is also evidence that children are forced to work as street vendors and that girls (and women) have been trafficked both internally and from neighboring countries Benin, Burkina Faso, Ghana, Mali, Mauritania, Nigeria, and Togo for the purpose of forced domestic work and/or sexual exploitation.<sup>157</sup> While I have chosen to focus on exploitative child labor found in the cocoa industry for this thesis, it is important to remember that this is only one example of unfair child labor and that the

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<sup>154</sup> Walk Free Foundation, "Global Slavery Index," 2013, <http://www.globalslaveryindex.org/report>, 62.

<sup>155</sup> Walk Free Foundation, "Global Slavery Index," 62.

<sup>156</sup> U.S. Department of Labor, "2011 Findings on the Worst Forms of Child Labor," <http://www.dol.gov/ilab/programs/ocft/2011TDA.pdf>

<sup>157</sup> Walk Free Foundation, "Global Slavery Index," 62.

lessons we learn from this case study can and should be applied more broadly to other sectors in Cote d'Ivoire.

### **2.6.1 Child Labor in the Cocoa Sector in Cote d'Ivoire**

Cote d'Ivoire's main export is cocoa, providing approximately fifty percent of the country's export revenues and accounting for forty percent of the world's total cocoa bean production.<sup>158</sup> Additionally, cocoa is grown by around 900,000 farmers in Cote d'Ivoire and sustains some 3.5 million livelihoods.<sup>159</sup> Beginning in the 1990s press reports of children being trafficked and forced to work under exploitative conditions on West African cocoa farms began to circulate. Research in to the issue was conducted in the early 2000s; the most referenced being the International Institute of Tropical Agriculture report in 2002, which confirmed the existence of the worst forms of child labor in Cote d'Ivoire.<sup>160</sup> Similar studies were conducted by Tulane University in 2009 and Anti-slavery International in 2010.

#### *2.6.1.1 Overview of Relevant Surveys on Child Labor in Cote d'Ivoire*

The International Institute of Agriculture (IITA) completed a study in 2002 to determine the extent of child labor in Cameroon, Cote d'Ivoire, Ghana, Nigeria. The study was supported by the U.S. Agency for International Development (USAID), the U.S. Department of Labor (DOL), the World Cocoa Foundation, the International Labor Organization (ILO), and the host governments.<sup>161</sup> It was conducted by African national research institutes in partnership with the IITA and under auspices the Sustainable Tree

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<sup>158</sup> Antislavery International, "Ending Child Trafficking in West Africa: Lessons from the Ivorian Cocoa Sector," 10.

<sup>159</sup> "Cote d'Ivoire's Cocoa Farmers, Certified and Satisfied," IRIN, accessed March 18<sup>th</sup>, 2014, <http://www.irinnews.org/report/97471/c%3%B4te-d-ivoire-cocoa-farmers-certified-and-satisfied>.

<sup>160</sup> International Institute of Tropical Agriculture, "Child Labor in the Cocoa Sector of West Africa," August 2002, <http://www.globalexchange.org/sites/default/files/IITACocoaResearch.pdf>.

<sup>161</sup> Tiaji Salaam-Blyther, Charles Hanrahan, and Nicolas Cook, "Child Labor in West Africa Cocoa Production: Issues and U.S. Policy," *Congressional Research Service* (2005): 7.

Crop Program (STCP), an organization founded in 2000 to improve the well-being of small holder farmers through the development of sustainable tree crop systems.<sup>162</sup> In Cote d'Ivoire surveys were conducted in all twenty cocoa-producing regions. The research team drew its sample from a 1998 national census of cocoa farmers. Within these regions, 250 villages across the country's cocoa belt were visited and a sample of 1500 farm households (six farmers were randomly selected for the survey in each village) was selected for quantitative surveys. In these quantitative surveys, producers were asked about the characteristics of the cocoa plantations and owners, and the extent and nature of child labor.

Additionally, a few select qualitative surveys were conducted in fifteen of the 250 villages visited and included individual interviews with farmers, child workers, adult workers, and local authorities. The reports notes a few limitations of the study: i) unavoidable bias in choosing sample households to survey, ii) the sensitive nature of child labor which may have made some farmers reluctant to discuss the issue openly, iii) low coverage of salaried workers in Cote d'Ivoire (only thirty seven adults and seventeen children were interviewed) in part because of the low frequency of salaried workers in the cocoa sector, and iv) biases resulting from the timing of the surveys, some of which were conducted outside the peak harvest season and it is plausible some workers, including child workers, would have left the plantation by the time the surveys were conducted.<sup>163</sup> Because of these limitations and the fact that the full details of the survey results were never released, the ILO has questioned the validity of the data.<sup>164</sup> However, the IITA

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<sup>162</sup> International Institute of Tropical Agriculture, "Child Labor in the Cocoa Sector of West Africa," 4.

<sup>163</sup> International Institute of Tropical Agriculture, "Child Labor in the Cocoa Sector of West Africa," 8-11.

<sup>164</sup> Salaam-Blyther, Hanrahan, and Cook, "Child Labor in West Africa Cocoa Production: Issues and U.S. Policy," 8.

study is the most comprehensive and widely cited study on child labor in cocoa production in West Africa from the early 2000s, so I feel it is important to include its findings here.

The Payson Center for International Development at Tulane University has conducted research on the worst forms of child labor in the cocoa sector in Cote d'Ivoire and Ghana since 2006. The research was initiated by the U.S. HarkinEngel Protocol, which I will describe in the solutions section below, and has conducted yearly population-based household surveys of child labor in the cocoa sector as well as studied efforts by the international cocoa/chocolate industry and the governments of Cote d'Ivoire to eliminate child labor. Their most recent surveys were conducted in 2009 with the goal of providing reliable data on the extent of exploitative child labor in the cocoa supply chain, particularly analyzing the migration and trafficking of children. The data that Tulane University collected came from (1) a survey of approximately 1500 adults and 1500 children living in agricultural households in Burkina Faso and Mali, (2) a survey of 600 children and young adults, who have worked in the cocoa sector when they were between five and seventeen years old, and (3) supplementary interviews with border guards, police and community leaders.<sup>165</sup> The research done by Tulane University is widely cited and is one of the main sources of information about child labor in the cocoa sector that many international bodies rely on, hence is important to include here.

Anti-slavery International, one of the most prominent organizations committed to fighting contemporary forms of slavery, conducted research in 2009 and 2010 to examine the dynamics of trafficking to the Ivoirian cocoa industry and child labor practices. The

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<sup>165</sup> Tulane University, "Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labor in the Cocoa Sector in Côte d'Ivoire and Ghana," 98.



research included reviews of current literature and research on labor practices in the Ivorian cocoa sector and also involved interviews with key informants in Cote d'Ivoire, Mali and Burkina Faso. Interviews were conducted with 133 young people from Burkina Faso and Mali, who had returned within the last five years from working on cocoa farms in Cote d'Ivoire and were sixteen years or younger when they started work on cocoa farms. These participants were selected over those currently working in Cote d'Ivoire, because of the difficulty of carrying out interviews with the political instability of Cote d'Ivoire. The goal of this research was not to make a quantitative estimate about trafficking and child labor in Cote d'Ivoire, primarily because acquiring accurate data about such hidden phenomena is extremely difficult. Instead, the goal was to examine the nature of trafficking and child labor in the industry as well as the process of migration in order to suggest strategies for eradication of unfair labor practices.<sup>166</sup> A limitation of this research is that it is largely based on anecdotal evidence from the informants interviewed, however Anti-slavery International's research is respected at the international level and important insight can be gained from their descriptions about the nature of child labor.

#### 2.6.1.2 *Findings of Surveys*

An analysis of the above surveys will help us understand the nature of child labor in the cocoa sector in Cote d'Ivoire. Using evidence from the surveys, I will discuss how extensive the problem of child labor is, analyze how individuals came to be child laborers, and illuminate the reality of their working conditions.

There are two main categories of child laborers. The first are those who work on their family's cocoa farm. Although it is possible that these children may be subject to

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<sup>166</sup> Antislavery International, "Ending Child Trafficking in West Africa: Lessons from the Ivorian Cocoa Sector," 8-9.

situations of forced labor within their family, the major international concern for children who work with their parents is the risk of hazardous work, which is likely to threaten their health and safety.<sup>167</sup> The second are salaried child workers or migrant workers who are employed on farms without family ties. Salaried workers as defined by the IITA study are persons who “work for regular wages or salaries, often paid on monthly or weekly basis with a longer (at least three months) contract.”<sup>168</sup> The IITA study also defines children without family ties as “children who live in the farm owner’s household but are not related to any of the immediate or extended members of the owner’s family.”<sup>169</sup> These children are the most susceptible to forced or compulsory labor and are also vulnerable to trafficking.

I will first evaluate the case of child labor when children are working on their family’s farm. The 2002 IITA report estimated that there were 625,100 working children in Cote d’Ivoire, most of which had a kinship relation to the farmer. By age, they estimated that 140,800 of these were ages six to nine years, 294,200 were ten to fourteen years, and 169,500 were fifteen to seventeen years of age.<sup>170</sup> It is important to note that not all of these children are considered to be laboring under the ‘worst forms of child labor.’ As is the case in agricultural communities around the world, children often help their parents on the farm. Child work which involves mild labor that does not take away from the child’s well-being or their ability to receive an education is typically viewed as an acceptable practice both by Ivoirian culture and by international law. In some cases, this child labor is not ideal, but is really the only option for families. For instance, if a

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<sup>167</sup> International Institute of Tropical Agriculture, “Child Labor in the Cocoa Sector of West Africa,” 12.

<sup>168</sup> International Institute of Tropical Agriculture, “Child Labor in the Cocoa Sector of West Africa,” 24.

<sup>169</sup> International Institute of Tropical Agriculture, “Child Labor in the Cocoa Sector of West Africa,” 24.

<sup>170</sup> International Institute of Tropical Agriculture, “Child Labor in the Cocoa Sector of West Africa,” 21.

child completes primary school around the age of twelve or fourteen, but is unable to attend secondary school, the main choice available to them is to begin working full time on their family's farm. This type of child labor brings up many other considerations about poverty and education issues, but is not really a form of coercive labor.

However, by law, if children are laboring under hazardous conditions, they are considered to be caught in the 'worst forms of child labor,' even if they are working on their family's farm. In Cote d'Ivoire, the IITA study found that of children working in hazardous conditions an estimated 152,700 were employed in pesticide application and 146,000 were involved in other dangerous tasks such as clearing underbrush with a machete and transporting heavy loads.<sup>171</sup> Studies have shown that these tasks are dangerous to children's health and wellbeing; however, it is not clear to me that the term coercive labor is the best to use in this setting. From what I understand, hazardous child labor is associated with coercive labor, because unlike adults engaging in dangerous tasks, children do not necessarily have the same ability to make an educated decision about what type of work they will or not do. Of course, there is variation within families, and some of these children may in fact be forced to perform hazardous tasks, in which case I think the term coercive labor would apply. This is not to undermine the problem of hazardous labor, as I think this is a very important issue to address, however it is important to recognize the distinction between hazardous child labor and coercive child labor as they will require very different solutions.

There is nonetheless a population of working children in Cote d'Ivoire that we can pretty safely classify as coercive child laborers. These are typically children who work on farms without family ties and are much more likely to be victims of trafficking

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<sup>171</sup>International Institute of Tropical Agriculture, "Child Labor in the Cocoa Sector of West Africa," 16.

or forced labor, than children working on their own family's farm.<sup>172</sup> The IITA report estimated that in 2002 there were approximately 12,000 children working on 9,000 Ivorian farms without family ties. In follow up surveys, it was estimated that the vast majority of salaried child workers came from outside the cocoa-producing zone, fifty-nine percent from Burkina Faso, and the rest from the ethnic groups like the Baoulé from Cote d'Ivoire's Yamassoukro-Bouaké area or groups from northern Cote d'Ivoire, such as the Senoufo and Lobi.<sup>173</sup> Of the children workers surveyed, twenty-nine percent reported they were not free to leave their site of employment if they wanted to either because that would require permission by the intermediary contact who brought them there, or because of a lack of money for transportation.<sup>174</sup> This lack of freedom to leave their site of employment is an important point of evidence for demonstrating that some of these children were caught in coercive labor.

Similar to the IITA findings, Tulane University's research has confirmed the prevalence of child labor in the cocoa sector in Cote d'Ivoire and notes that child trafficking continues to be a problem in Burkina Faso and Mali. Of the 600 children interviewed during their 2009 survey, who had experience working in the cocoa sector when they were between five and seventeen years old, seventy-five percent of respondents in Burkina Faso and sixty-three percent in Mali were identified as former victims of child trafficking. Ninety-nine percent of respondents from Burkina Faso and one-hundred percent of respondents from Mali indicated that they had experienced at least one of the worst forms of child labor including: verbal, physical, or sexual abuse, assault/threat to safety or life, inability to move around the farm or return home, and

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<sup>172</sup> International Institute of Tropical Agriculture, "Child Labor in the Cocoa Sector of West Africa," 14-15.

<sup>173</sup> International Institute of Tropical Agriculture, "Child Labor in the Cocoa Sector of West Africa," 12.

<sup>174</sup> International Institute of Tropical Agriculture, "Child Labor in the Cocoa Sector of West Africa," 13.

having to work to pay off debts. Notably, thirty-three percent of the respondents from Burkina Faso and fifteen percent from Mali reported having been forced to work against his/her will. The data provided by Tulane provides clear evidence of forced child labor and/or debt bondage (as defined by international and national law) on cocoa farms in Cote d'Ivoire.<sup>175</sup>

Additionally, the interviews conducted during Anti-slavery International's field research also indicate that the trafficking of children to cocoa farms in Cote d'Ivoire is still common.<sup>176</sup> Although this report did not estimate the number of trafficked children to Ivoirian cocoa farms, Anti-slavery's field research provides important insight into who the child laborers are and where they come from. The conclusions of the 2010 anti-slavery report about the nature of child trafficking and labor are largely based on interviews done with youth who had previously worked in the Ivoirian cocoa sector, but had managed to return to Burkina Faso and Mali. Those interviewed had been working on Cote d'Ivoire farms in the last five years, without their families, and were typically between the ages of twelve and sixteen when they began working in Cote d'Ivoire, although some were between seven and ten years old. Those who had migrated when they were younger than ten years old had usually migrated during the period of 1999 to 2001, which may indicate that the migration of very young age groups is now less common than it was about a decade ago.<sup>177</sup>

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<sup>175</sup> Tulane University, "Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labor in the Cocoa Sector in Côte d'Ivoire and Ghana," 124.

<sup>176</sup> Antislavery International, "Ending Child Trafficking in West Africa: Lessons from the Ivorian Cocoa Sector," 13.

<sup>177</sup> Antislavery International, "Ending Child Trafficking in West Africa: Lessons from the Ivorian Cocoa Sector," 16-17.

Of the children interviewed, thirty-five percent of the youth interviewed in Burkina Faso and nine percent of those in Mali had still been in school when they were recruited to go to Cote d'Ivoire. All others had either never attended school or had stopped attending school, and were instead helping their family with economic activities, such as working on the fields or as a porter in the bus stations. They all indicated that their parents were poor, suggesting that most had left school, because their parents could not afford the costs.<sup>178</sup> These findings confirm some of the economic pre-conditions that push people towards coercive labor that I described earlier, such as poverty and lack of access to education. This will be important to remember in my solutions chapter as we consider the need to address pre-conditions as part of our anti-slavery response.

It is also important to note that there are discrepancies in the literature about the extent of trafficking and forced child labor in cocoa production in Cote d'Ivoire. For instance, while the IITA report suggests that only a small percentage of child laborers are trafficked to farms, other reports suggest that the issue of child trafficking may be more widespread. For instance, a study done by Ivoirian professor, Alain Sissoko, states that there is a well-known phenomenon of young workers (aged fourteen to eighteen) traveling to work on farms with adults they had not known previously. This report estimated that in 2005 alone, 4,800 boys arrived at Soubré, a top cocoa producing country in Cote d'Ivoire, during the three months of most frequent migration. While not all young people who migrate to Cote d'Ivoire are exploited, this figure suggests that the 12,000

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<sup>178</sup> Antislavery International, "Ending Child Trafficking in West Africa: Lessons from the Ivorian Cocoa Sector," 17.

number provided by the IITA report could be understood as a minimum.<sup>179</sup> This should alert us, especially since any number of trafficked children is too many.

To better understand the nature of coercive child labor, I will now evaluate how children typically end up in exploitive working conditions on cocoa farms in Cote d'Ivoire. The IITA study reported that in Cote d'Ivoire in 2002, an intermediary was involved in the recruitment process for an estimated forty-one percent of the 5,120 child workers found in Cote d'Ivoire. According to the report, ninety four percent of salaried workers indicated that they knew the intermediary personally and none indicated that the intermediary had made a payment to their parent before they left. Of the salaried workers in Cote d'Ivoire, an estimated fifty-seven percent of the salaried workers had been recruited within Ivoirian borders, while the remaining forty three percent were recruited in Burkina Faso. The most frequent reason why children chose to leave with the intermediary was because of a promise of a better life. All of those surveyed indicated that they had been informed in advance that they were going to work on cocoa farms.<sup>180</sup>

In the Tulane University report, the average age at which the young people left to work in Cote d'Ivoire was fifteen years and most stayed on the cocoa farm on average from three to five years. It was found that approximately ninety percent of respondents from Burkina Faso and Mali had moved to the cocoa farm in which they worked without their parents. Most had moved to the farm with a stranger, alone, or with a relative other than their natural parents/guardians. Approximately eighty percent of the respondents from Burkina Faso and seventy-two percent in Mali indicated they had experienced some form of recruitment, transportation, transfer, or receipt from a third person or group as a

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<sup>179</sup> Antislavery International, "Ending Child Trafficking in West Africa: Lessons from the Ivorian Cocoa Sector," 13.

<sup>180</sup> International Institute of Tropical Agriculture, "Child Labor in the Cocoa Sector of West Africa," 13.

part of their migration process.<sup>181</sup> All of these numbers indicate that child trafficking to cocoa farms is still an issue in Cote d'Ivoire.

The Anti-slavery International report suggests that for the young people from Mali and Burkino Faso they interviewed, most chose to migrate, because they wanted to help their parents and also wanted to begin preparing for adult life, in which they would need some form of income to build a house and pay a dowry. A small percentage of the young people were still in school when they chose to migrate to Cote d'Ivoire. However, a majority had already left school and were either helping their parents on the farm at home, or were helping their parents at home during the rainy season, but took jobs away from home during the dry season, for instance as a porter in a bus station.<sup>182</sup> Most young people chose to migrate to Cote d'Ivoire, because it is painted as a 'promised land,' which is an image that has been developed over many years, particularly during the cocoa boom years between the 1950s and 1980s. In most cases, it was a recruiter that promised good wages and assistance in transportation which convinced the children to migrate in search of labor on cocoa farms.<sup>183</sup>

The majority of the young people interviewed by Anti-slavery International had traveled to Cote d'Ivoire in small groups on a bus, typically accompanied by an intermediary or recruiter. Although the children typically did not have documents, they

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<sup>181</sup> Tulane University, "Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labor in the Cocoa Sector in Côte d'Ivoire and Ghana," 119-120.

<sup>182</sup> Antislavery International, "Ending Child Trafficking in West Africa: Lessons from the Ivorian Cocoa Sector," 17.

<sup>183</sup> Antislavery International, "Ending Child Trafficking in West Africa: Lessons from the Ivorian Cocoa Sector," 18.



often went unnoticed at border controls since they were traveling in small groups or the recruiters bribed the officials to allow the children to get through.<sup>184</sup>

Now that I've examined how children typically end up working on cocoa farms in Cote d'Ivoire, I will now analyze the working conditions they typically experience. The 2010 Anti-slavery International report found that once on the cocoa farms, most of the children found the conditions very different from what they had expected. While many thought they would help those already on the farm (i.e. carrying water), most were expected to quickly learn difficult, adult-level agricultural tasks such as using a machete to remove branches of the cocoa trees, breaking the cocoa nuts, use insecticide sprayer, and harvest the cocoa. Work was especially challenging during the two harvest periods during the year where the work day typically lasted from dusk until dawn. The Tulane University report also confirmed the engagement in hazardous labor among the migrant children they interviewed. Ninety-eight percent of respondents from Burkina Faso and ninety-seven percent from Mali indicated exposure to one or more of the hazards prohibited for laborers under the age of eighteen in Cote d'Ivoire including: land clearing and burning, carrying heavy loads, and the application of pesticides and insecticides.<sup>185</sup>

In addition to facing dangerous working conditions, eighty percent of the young people interviewed by Anti-slavery International said that the living conditions on the farms were poor or very poor. Most of the children lived in a group of six to ten young workers in a simple cabin on the farm, and typically resided in a fairly isolated location.

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<sup>184</sup> Antislavery International, "Ending Child Trafficking in West Africa: Lessons from the Ivorian Cocoa Sector," 18.

<sup>185</sup> Tulane University, "Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labor in the Cocoa Sector in Côte d'Ivoire and Ghana," 122-123.

The majority of children said they had no access to medical care, even with serious illnesses or injuries, including malaria, snake bites, and cuts from tools, and were rather taken care of by other children. Many of the children were expected to provide their own food and were given a piece of ground where they could grow yams or cassava.<sup>186</sup>

While in most cases the children were not forcibly held on the farm, leaving was very difficult as they were typically in an unfamiliar forest environment where they didn't know where they were or how to get home. Also, many of them did not have the necessary documentation needed to travel home and on the way back did not have a recruiter or intermediary who could help them get through border controls.<sup>187</sup> About ninety percent of the young people interviewed from Burkina Faso and seventy-five percent from Mali had spent two to three years on cocoa farms in Cote d'Ivoire before returning home. A few had spent four or five years or less than a year on the farm.

The general pattern from the interviews is that most young people wanted to leave after the first year and asked to be paid, but the farmers presented excuses as to why the young people could not be paid. A common excuse offered was that the young people had not worked long enough to pay for their transport to the farm or for their tools, clothes and other expenses. They were told that they would be paid after a second year, but when that year rolled around, other excuses were offered, for example that the farmer was waiting to be paid for a harvest or had large expenditures for a family crisis. At this

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<sup>186</sup> Antislavery International, "Ending Child Trafficking in West Africa: Lessons from the Ivorian Cocoa Sector," 20.

<sup>187</sup> Antislavery International, "Ending Child Trafficking in West Africa: Lessons from the Ivorian Cocoa Sector," 19-20.

point, many of the young people realized that they might never be paid and decided to leave with or without payment.<sup>188</sup>

While most of the farmers did not want the children to leave, because they might have to pay to get a new worker, most let the children go in order to avoid conflict. Of the children interviewed by Anti-slavery International, only eight received the amount of payment they expected. The children who received the payment they expected typically accounted for the cases in which a family member was involved in getting the child to Cote d'Ivoire. Eight received no pay at all, a few received only the cost of the bus ticket back to Mali or Burkina Faso, and the others received something from the farmer when they left, but the amount (usually \$100 per year) was less than half of what they expected. All of the children interviewed had to arrange and pay for their own transportation back to Mali or Burkina Faso, which was difficult and many reached their home country with less money than they received at the farm. In the cases of those who did not receive any money from the farmer, they usually asked someone to help them buy a ticket to get home or they worked on another farm until they could save enough money to get home.<sup>189</sup>

The poor working conditions and restriction of movement described by the interviewees, demonstrates elements of debt bondage (the requirement to work pay off the cost of transportation or tools) and forced labor (their inability to feasibly leave the farm and withholding of wages.) Based on the ILO definition of forced labor and debt bondage, it is clear that even if the informants had been adults when they had been

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<sup>188</sup> Antislavery International, "Ending Child Trafficking in West Africa: Lessons from the Ivorian Cocoa Sector," 20-21.

<sup>189</sup> Antislavery International, "Ending Child Trafficking in West Africa: Lessons from the Ivorian Cocoa Sector," 21.

recruited to Ivoirian farms, their experience would still constitute forced labor and/or debt bondage.<sup>190</sup>

The IITA Report confirms that some of the child laborers they interviewed were caught in debt bondage. The report first noted that wage discrimination was evident between child and adult workers. In Cote d'Ivoire, child workers reported an average annual payment of US\$80, versus the US\$135 for adult workers. Although children received a lower pay, the hours children worked was not different than adult workers.<sup>191</sup> Of the salaried child workers, sixty two percent expected to be paid personally, thirty two percent reported that their wages were received by family members, and six percent indicated that their payment was made to the intermediary who brought them to their place of employment. This seems to indicate that there were some financial benefits to the children's labor, although that doesn't mean they received fair wages. However, in the cases where children reported that their wages went to family members or a recruiter, it seems plausible that the children were caught in some form of debt bondage.<sup>192</sup>

For some of the children interviewed by Anti-slavery International it was difficult or impossible to return home without any money to show for their time gone. In many cases the young people took work helping their parents when they returned or tried working in other sectors like gold mining. A few others tried to find jobs on different cocoa farms, with the hope that they could earn substantial pay. This indicates that there may be 'good' and 'bad' cocoa farms and that there are some farms that do employ fair working conditions. It makes sense that there would be varying levels of work conditions

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<sup>190</sup> Antislavery International, "Ending Child Trafficking in West Africa: Lessons from the Ivorian Cocoa Sector," 16.

<sup>191</sup> International Institute of Tropical Agriculture, "Child Labor in the Cocoa Sector of West Africa," 14.

<sup>192</sup> Salaam-Blyther, Hanrahan, and Cook, "Child Labor in West Africa Cocoa Production: Issues and U.S. Policy," 8.

on farms, because some farmers are more likely to be exploitative than others (reminding us that the enslavement or exploitation of others is a personal action, albeit rooted in societal structures.) It is not clear to me how to tell the difference between ‘good’ and ‘bad’ farms, although I would like to study this more in the future. A small number of young people interviewed mentioned NGOs who helped them return home, although the extent of the work that NGOs can do appears to be very limited by a lack of funding.<sup>193</sup> Based on the experiences described by these young people, it is pretty evident that more needs to be done to help children who are exploited on cocoa farms in Cote d’Ivoire.

## 2.7 CHILD LABOR IN GHANA

The U.S. Report on the Worst Forms of Child Labor estimates that forty-three percent of children ages five to fourteen are working in Ghana. Some of these children are engaged in the worst forms of child labor, primarily in agriculture and fishing. Thousands of children work in the fishing industry, which is known to be dangerous, particularly when performing tasks such as diving to untangle fish nets. Children also work in domestic service, mining, and Ghana is a source, transit, and destination country for commercial sexual exploitation of children.<sup>194</sup>

Numerically speaking, the presence of the worst forms of child labor in the cocoa sector in Ghana is less prevalent than in the cocoa sector in Cote d’Ivoire. Although less prevalent, unfair child labor practices in Ghana still need to be addressed. The International Institute of Tropical Agriculture (IITA) also published a report about child

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<sup>193</sup> Antislavery International, “Ending Child Trafficking in West Africa: Lessons from the Ivorian Cocoa Sector,” 22.

<sup>194</sup> U.S. Department of Labor, “2011 Findings on the Worst Forms of Child Labor,” <http://www.dol.gov/ilab/programs/ocft/2011TDA.pdf>, 256.

labor in Ghana in 2002. In this report they found that hazardous child labor was a major concern in the cocoa sector in Ghana. They estimated in 2002 that an estimated 538,297 children have reported injuries from hazardous activities.<sup>195</sup> In addition to hazardous forms of child labor, there have also been some cases of child trafficking to cocoa farms in Ghana from surrounding countries. Although this problem is not as extensive as in Cote d'Ivoire, it is fueled by similar pre-conditions and needs to be further evaluated and addressed.

## 2.8 CONSEQUENCES OF COERCIVE LABOR IN COCOA PRODUCTION

There are many consequences of coercive labor to consider both for the child laborers and for their communities in West Africa. First, there are particular consequences that coercive child laborers face. One such consequence is the physical and health damage many of them experienced laboring in intensive, often hazardous conditions. Even children who are not caught in coercive labor, but work under dangerous conditions on their family's farm will face health issues from tasks like spraying pesticides. In addition to health risks, coercive laborers will have to deal with the emotional and psychological consequences of their slavery experiences, which will have to involve rebuilding of self-esteem and self-worth. Recovering physical and emotional health, will take time and resources, which coming from impoverished families, not many of these children will have access to. Similarly children who labored from dawn to dusk on cocoa farms, lost the potential to gain an education during those years and will also most likely not have many other employable skills to help them obtain

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<sup>195</sup> U.S. Department of Labor, "2011 Findings on the Worst Forms of Child Labor," <http://www.dol.gov/ilab/programs/ocft/2011TDA.pdf>, 256.

an economically viable job in another sector in the future. Without the ability to obtain other education or job skills, these children may remain vulnerable to labor exploitation even after they escape the cocoa farm they were enslaved on. Even children who were not enslaved, but worked on their family's farm are likely to be caught in the same poverty cycle as their parents were.

### **2.8.1 Environmental Consequences**

There are also negative environmental consequences of cocoa production to consider. We note that there are links between exploitative child labor and these environmental consequences. At the most basic level, there is connection between the two because child laborers spray some of the pesticides and cut down some of the forests, which contributes to the environmental destruction of the land from cocoa farming. However, there are larger consequences to consider because environmental destruction is both a consequence and pre-condition of exploitative labor. Exploited laborers often contribute to the destruction of the land, but as the land is continually destroyed, the very livelihood of cocoa farmers will be in danger, which could set the stage for other pre-conditions like poverty and displacement. Destruction of the land also decreases its productivity, which decreases farmers' income, which creates a pre-condition for the use of unfree labor. Essentially, the environmental consequences of cocoa production are important to consider because of the relationship between the land and its people.

The cocoa tree requires very specific conditions to grow properly including heat and humidity to maintain proper levels of soil moisture, which is why cocoa is most often grown within eight degrees of the equator. Young plants also need shade, which makes cocoa particularly conducive to growing alongside other crops such as bananas and

plantains. The cocoa tree is also particularly susceptible to pests and diseases. Because of this, the tendency in cocoa production has been to clear new areas of forest, which have fertile soil and have not been invaded by pests and diseases. Part of the reason cocoa production spread so quickly in West Africa is that essentially anyone with a little determination could start a cocoa farm by partially clearing a few acres of virgin forest and introducing young plants. However, many problems arise thirty years later if a cocoa farm was not well maintained throughout the years. As soils age, pests and diseases attack older plants, and their productivity falls. Ageing cocoa plants in combination with a gradual reduction in rainfall since 1950 which has increased attacks by pests on young plants are a serious threat to cocoa production Cote d'Ivoire and Ghana.<sup>196</sup>

The solution to these problems in the past has mean a continuous deforestation of virgin forests, primarily because clearing forested land has always been a much more feasible investment for farmers than trying to make their land sustainable by improving their soil and figuring out how to effectively fight off pests. During the 1990s Cote d'Ivoire had an annual deforestation rate of seven percent of its forest area, which means that the forest area has been more than halved in ten years. Removing valuable forest land is damaging to the environment and is known to cause erosion and irreversible losses of ecosystems and biodiversity.<sup>197</sup> This environmental destruction of the forest areas not only has negative consequences for cocoa farmers, who are experiencing lower rates of productivity and have less land available to them for new farms, but everyone living in West Africa.

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<sup>196</sup> Antislavery International, "The Cocoa Industry in West Africa: A History of Exploitation," 11.

<sup>197</sup> Antislavery International, "The Cocoa Industry in West Africa: A History of Exploitation," 11.



One solution to the problem of deforestation is to improve the quality of the land by introducing herbicides, pesticides, and fertilizers. While investing in the land already in use by fighting off diseases and pests is very important, there are negative environmental consequences of introducing these chemicals to the land. For instance, the use of phosphorous fertilizers contributes to the process of eutrophication, which is when a body of water becomes overgrown with nutrients (like phosphates) and can lead to the death of animal life due to a lack of oxygen. Also, the use of pesticides emits chemicals (like halogens and chlorofluorocarbon), which contributes to ozone layer depletion. The use of heavy metals in phosphorous fertilizers and the leakage of pesticides is also known to be toxic to freshwater ecosystems, terrestrial ecosystems, and humans.<sup>198</sup> The negative environmental impacts of cocoa production do not end at the farm either. For instance the use of fossil fuels for the boilers and roasters in cocoa processing contributes to ozone layer depletion and global warming.<sup>199</sup>

In addition to the environmental consequences of chemical use, the production of cocoa also generates a large amount of waste in the form of pod husks, which presents a serious disposal problem. One solution to this in the past was to use the pod husks as mulch on the farms. However, it was revealed that this contributed to disease on the farm, making it an unsustainable solution. While the husks cannot be used again on the farms, recent research has shown that the husks have value for other products, and work is being done on commercializing those products.<sup>200</sup> The environmental destruction caused by

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<sup>198</sup> Augustine Ntiamoah and George Afrane, "Environmental Impacts of Cocoa Production and Processing: Life Cycle Assessment Approach," *Journal of Cleaner Production* 16 (2008): 1737.

<sup>199</sup> Augustine Ntiamoah and George Afrane, "Environmental Impacts of Cocoa Production and Processing," 1738.

<sup>200</sup> Augustine Ntiamoah and George Afrane, "Environmental Impacts of Cocoa Production and Processing," 1738.

cocoa production not only affects those in West Africa who rely on the land as a source of livelihood, but also has far reaching consequences for the global environment. If we are to really improve the livelihood of cocoa farmers and in turn reduce reliance on exploitative forms of labor, the negative environmental consequences of cocoa production have to be addressed.

## 2.9 SOLUTIONS SO FAR

Press reports about children being trafficked and forced to work under exploitative conditions surfaced in the 1990s. This issue received more awareness in 2001, which led to the Harkin-Engel Protocol. The goal of the Protocol was to develop and implement voluntary, industry wide standards that cocoa be produced without child labor. Various groups were developed to develop standards, such as the International Cocoa Initiative, the Cocoa Verification Board (IVCB), and the Payson Center of Tulane University. Standards of certification have yet to be decided, and as of yet a certification system has yet to be established. This is primarily because chocolate companies feel that it is next to impossible to monitor labor practices on millions of scattered cocoa farms in West Africa.<sup>201</sup> The protocol has provided some benefits such as raising awareness among consumers. Also, because of it, some major Western chocolate companies have donated money to development projects in cocoa producing areas.

However, this solution is inherently limited, because it is trying to solve the entire problem of child labor in Cote d'Ivoire by demanding that businesses take action and do something about it. While I agree that businesses do have some responsibility to clean up

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<sup>201</sup> Antislavery International, "Ending Child Trafficking in West Africa: Lessons from the Ivorian Cocoa Sector," 12.

their supply chain, I think a multi-faceted approach to ending slavery will be much more fruitful in the long run. While I will refer to examples in the cocoa industry, I will describe this multi-faceted approach to creating solutions to contemporary slavery in a global context in my next chapter, so we can see how solutions to the cocoa problem fit in with solutions to other coercive labor issues.

## CHAPTER 3

### WHAT WILL IT TAKE TO END CONTEMPORARY SLAVERY?

We've spent a great deal of time in the last two chapters diagnosing the pre-conditions, forms, and consequences that set the foundation for slavery. With these diagnoses in mind, I will provide examples of people who are creating successful solutions to these problems and suggest ways that we can replicate their solutions to deepen the contemporary fight against slavery. While analyzing different solutions for the pre-conditions, forms, and consequences separately, I will continue to emphasize the importance of a multi-faceted approach to creating sustainable solutions to slavery.

#### 3.1 ADDRESS THE ECONOMIC PRE-CONDITIONS

The reasons why 29 million people around the world are currently enslaved<sup>202</sup> are multifaceted and correlated with many other global issues like poverty, inequality, poor healthcare, discrimination, and political instability. In order for the issue of contemporary slavery to be adequately addressed, our solutions need to be multifaceted and address these various pre-conditions from different angles. While addressing the pre-conditions does not necessarily improve the lives of slaves right now (that will be described in the next section), this step, although often overlooked in anti-slavery responses, is incredibly important for preventing the enslavement of more people and for making sure that those that escape or are rescued from slavery have other economic, social, and political opportunities available to them. Fortunately, a great deal of humanitarian work is already being done around the world to address many of these pre-conditions, and there is much

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<sup>202</sup>Walk Free Foundation, "Global Slavery Index," 1.

potential to expand the work that is already being done to particularly target communities and regions that are especially vulnerable to forms of contemporary slavery.

### **3.1.1 Addressing the Economic Pre-Conditions: Poverty**

It is widely acknowledged that global poverty is a major concern, with over one billion people living below the poverty line (currently set at \$1.25 per day) and hundreds of millions subject to chronic hunger and access to basic necessities like clean water or health care. Poverty encompasses much more than a lack of income and often stems from systemic issues such as malnutrition, poor health, illiteracy, environmental degradation, and economic stagnation making it difficult for an individual to escape from the cycle of poverty, no matter how hard they work. Poverty is not only an issue in itself, but is a key factor that has allowed slavery to thrive.

Generally the majority of people around the world who are enslaved come from the most impoverished and socially excluded sections of society in their respective communities.<sup>203</sup> For example, the vast majority of bonded laborers enslaved in stone quarries in India, come from ‘low’ castes and have historically faced high levels of poverty and discrimination. Poverty is the driving factor behind bonded labor in the quarries as almost every bonded laborer initially took a loan because they did not have enough money to meet their basic daily needs (i.e. food, medicine, clothes etc.) or to pay for an event like a wedding or a funeral. This initially small amount of debt, handled improperly by the lender becomes the financial agreement that places the person and often their whole family in a situation of debt bondage for years or generations.<sup>204</sup> There

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<sup>203</sup> Antislavery International, “Poverty, Development, and the Elimination of Slavery,” 2007, [http://www.antislavery.org/includes/documents/cm\\_docs/2012/f/fco\\_full\\_dfid\\_meeting\\_background\\_paper\\_2oct2007.pdf](http://www.antislavery.org/includes/documents/cm_docs/2012/f/fco_full_dfid_meeting_background_paper_2oct2007.pdf), 2.

<sup>204</sup> Antislavery International, “Poverty, Development, and the Elimination of Slavery,” 4.

is also a clear connection between poverty and exploitation in the cocoa sector in West Africa. A major reason why children leave Mali and Burkina Faso to labor under the worst forms of child labor in Cote d'Ivoire is because their families were impoverished and unable to provide for their basic needs at home. In both India and West Africa, poverty was a contributing factor to coercive labor, because those impoverished enough to sell their labor potential (or in some cases their children's labor potential) were too poor to say no to a job, even if it meant risking exploitation, and were too poor to defend themselves once they were trapped in bondage. Poverty is clearly a major contributing factor to slavery and will require many innovative solutions in order for people to enjoy access to fair, profitable work in the immediate and to eliminate slavery in the future.

#### *3.1.1.1 Improve Access to Health and Nutrition*

A major concern for many who are poor around the world is inadequate access to food and water. Hunger not only increases health risks and limits individuals' ability to work, but can also put people in a vulnerable state where they are forced to decide between laboring in slavery or sending their children to labor in potentially exploitative conditions versus constantly being hungry. It is no coincidence that the poorest countries, which tend to face high levels of hunger, are also the countries that are likely to have high levels of slavery.<sup>205</sup> There is potential to add an antislavery focus to hunger alleviation programs already in place, such as the U.N. World Food Programme (WFP). For example, the WFP already has active programs addressing hunger in Mali. There is potential to ameliorate hunger, which is a major push factor for young boys that are trafficked to the cocoa sector in Cote d'Ivoire, if some of their programs were targeted specifically at communities who have high levels of child migration.

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<sup>205</sup> Bales, *Ending Slavery: How we Free Today's Slaves*, 156.

Poor health resulting from poverty is another contributing factor to slavery. Illness or death in a family can create a large burden for an individual or a family in terms of earning income, particularly if they had little to begin with. This is particularly apparent in Southeast Asia, where many individuals enter debt bondage in order to pay for costly medicine and treatment or when a major illness leaves an important income earner in the family unable to work. Again, improving health care is an extremely complex issue, but it will be important to work with the health care community to expand programs to reach those that are already economically vulnerable to slavery, particularly those that are geographically or socially isolated.

#### *3.1.1.2 Improve Access to Quality Education*

Areas with high levels of poverty often have poor educational opportunities. Absent or poor education systems in turn contribute to poverty because without an education, an individual's skill base is limited as is their capacity for personal growth. Those without access to education generally have limited employment opportunities and are restricted to unskilled and poorly paid work. There is a clear link between poor education and slavery, as demonstrated in the earlier chapter on the worst forms of child labor in Cote d'Ivoire. The majority of the boys from Mali and Burkina Faso to Cote d'Ivoire had dropped out of school before they were trafficked and had very little economic opportunities available to them at home, making them all the more willing to seek employment on cocoa farms in Cote d'Ivoire.

It is also important to note that while formal education, either in school or a skill-training program is valuable, there is also great value to informal forms of education that cannot be commodified as skill sets for the economy. When I advocate for improving

education, I am partially talking about offering people a way to earn tangible skills that they can use in the labor market. However, I want to emphasize the opportunities for non-tangible forms of education that can be opened up when people are viewed for more than their labor value. For example, if an individual, especially a young person, is working in a garment factory in Bangladesh for sixteen hours a day, earning enough to barely meet their basic needs, they are technically being educated in efficiently producing garments in exchange for a wage. But, this work life does not allow them time to learn life skills that cannot be commodified. If it was instead possible for this young person to attend school, he/she could most likely gain other employable skills that would provide more income later on, but could also have the opportunity to experience personal growth and non-formal education that the factory life does not allow. As we reflect on how to improve education, it is important to not let the market control education (i.e. only educate people so they can gain a labor skill), but to remember the importance of holistic education for the whole person.

Although education is recognized as an important international development goal and many countries have passed legislation to abolish primary school tuition, many children from poor families struggle to obtain a good education. Sometimes this is because although school is nominally free, there are fees for uniforms or books that some families simply cannot afford. Also in many countries secondary education is not free, so even if children from poor families manage to succeed in primary school, they are not able to continue their education to a more advanced level. In other cases the schools are too far away for rural children to realistically attend each day. Ensuring all children are enrolled in school does not completely solve the problem, as there are far too many



schools in developing countries that lack necessary resources like books and qualified teachers (and salaries for these teachers) meaning that children who attend these schools may not actually be learning and will graduate primary school barely literate.<sup>206</sup> This was a major concern for cocoa farmers in Cote d'Ivoire. Many farmers wanted to send their schools, but felt that the local education system was so bad, that their children would actually benefit more by staying home and working than sitting in a classroom where they were not learning.

Of course education reform is complicated and there is no singular solution that will fit every region and context. However, there are various successful, innovative education programs that we can learn from and try to replicate in other areas. For instance, in Bangladesh the Bangladesh Rural Advancement Committee (BRAC), a highly successful and almost completely self-sustaining NGO focused on development and poverty alleviation, has a highly innovative Nonformal Primary Education Program (NFPE) that has significantly contributed to educational growth in Bangladesh. This program responds directly to the needs of the people who live in the villages in which it works. BRAC recognized that the major reasons why families did not send their children to school was because they needed their labor at home on the family plot of land they used to survive, their children often felt intimidated and alienated in traditional school settings, and the girls faced harassment at school. After meeting with many village mothers to discuss these concerns, BRAC developed schools specifically for poor families. These schools operate for only a few hours a day and little homework is given so that children can help at home. The parents decide whether classes will be held in the morning or evening, depending on what is best for the village schedule. BRAC makes up

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<sup>206</sup> Stephen Smith, *Ending Global Poverty* (New York: Palgrave Macmillan, 2005), 35 and 61.

for the shorter hours by ensuring a higher quality education with smaller class sizes, engaging teaching styles such as incorporating traditional dance, and offering basic education classes for older children who missed out on primary education when they were younger. The program has successfully expanded to about 34,000 schools across the country, serving over 1 million students, with approximately ninety percent of its graduates continuing onto secondary school in the formal system.<sup>207</sup> The BRAC program has now successfully expanded to Afghanistan, Pakistan, the Philippines, Sri Lanka, Liberia, Sierra Leone, South Sudan, Tanzania, and Uganda.<sup>208</sup> The global success of the BRAC program shows us that education reform is possible even in extremely poor regions, when it is adapted to the local context and needs. Whether by helping people access new jobs or giving them the technological or literacy skills they need to compete in a globalized world, creating sustainable, local educational opportunities can help a community break the trap of poverty thereby lessening their susceptibility to contemporary forms of slavery.

Education is often specifically advocated for as a major solution for preventing child slavery and the worst forms of child labor. Improving children's access to quality education is certainly important and has been successful in addressing child labor in some regions. For instance in Mexico, the Mexican Program on Education, Health, and Nutrition (often referred to as Progresa) has focused on combating child labor by ensuring that children have access to health and nutrition and by providing financial incentives for parents to keep their children in school. Low-income parents are essentially paid to send their children to school in order to compensate for lost income or the lost

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<sup>207</sup> Smith, *Ending Global Poverty*, 65-70.

<sup>208</sup> "Where We Work," BRAC, accessed March 14, 2014, [http://www.brac.net/content/where-we-work#.UyFDH\\_IdVnE](http://www.brac.net/content/where-we-work#.UyFDH_IdVnE).

value of work at home. Participating families receive school program payments, grants for schools supplies and food subsidies, and are encouraged to take advantage of public health care for their children. Payments are generally provided through the mother and are conditional on children in grades three through nine attending school regularly. The payments increase as the child increases in grade level, creating an incentive to keep children in school longer. Progresa has reached over 21 million people and is internationally recognized as highly successful and has significantly contributed to a decrease in the use of child labor in Mexico.<sup>209</sup> Similar programs are spreading across the region and there is potential to create similar programs in other areas of the world that have high levels of child labor.

While improving children's access to education is certainly an important factor in ending exploitative child labor, we must be wary of the tendency to elevate the power of education to such a high level that it overshadows other crucial solutions to addressing the economic preconditions feeding the use of child labor. For example in order to prevent child trafficking to the cocoa sector in Cote d'Ivoire we could ensure that every child in Burkina Faso and Mali is able to attend school. But, that doesn't necessarily mean that they will be able to find a job when they leave school that will provide enough income. This means that along with improving education in impoverished communities, we also need to find ways to create viable job opportunities.

We also may need to rethink some of our labor market structure. This goes back to the value of non-formal education. While creating job opportunities for market-based skills, we may need to find ways to transform the system so that non-formal education is valued in of itself. For example is it possible for farmers to enjoy a good life, while

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<sup>209</sup> Smith, *Ending Global Poverty*, 63-65.

focusing on subsistence crops rather than crops for export? Education reformers will need to keep asking these difficult questions so that we don't lose the value of education which cannot be commodified.

Also, putting children in school doesn't necessarily deal with the poverty they face at home. Programs like Progresa can help families who can't afford to lose the labor of their child, but it still doesn't address the reason why these families are so dependent on their children's labor. This is why a multi-faceted approach to finding solutions to slavery is so important. Education is an important solution, but needs to be paired with other economic reforms to have a long lasting impact on people's lives.

#### *3.1.1.3 Stimulate Economic and Market Reform*

A major concern for those in poverty is a lack of access to a steady income. There are two different issues at stake here. The first is that the local economy does not present enough opportunities for employment. One crucial step in fighting slavery is to create reforms that increase the number of viable jobs available in a community and to find a way to make sure that those jobs pay a secure living wage. For the most part, this issue requires local solutions focused on developing local markets, which is the first type of solution I will discuss. A second issue is when the local economy is distorted by the international economy. This is the type of issue cocoa farmers face in Cote d'Ivoire as they are constantly impacted by the fluctuating international cocoa price. Subsistence farmers (or farmers that grow multiple crops and sell them at the local level) are also impacted by distortions of the local economy by the international economy. Whereas that lifestyle used to be sustainable, it is now not economically viable in part due to importing

of food into local markets from global production. This is a much more complex issue, involving many more actors, and will require solutions that are international in nature.

First, focusing on local level solutions, for some, particularly those that operate their own small businesses, access to credit is a major impediment to the profitability of their enterprise. Microfinance has been one widely acclaimed approach to increasing the availability of credit for the poor. For example, the Grameen bank in Bangladesh, one of the first microfinance programs, makes small loans to impoverished people without requiring collateral. To qualify for uncollateralized loans, potential borrowers form five-member groups, creating a strong social pressure on members to repay their loans. The Grameen public-cooperative bank has grown rapidly and now operates over 2,000 offices across Bangladesh. For some members, the access to credit has been life changing as they have been able to purchase items needed to spark their business, such as a sewing machine or materials to build a fish pond.<sup>210</sup>

Access to credit is an important first step, but this reform must be paired with the development of markets if people are to really benefit from their initial investments. The highly successful NGO mentioned earlier, the Bangladesh Rural Advancement Committee (BRAC), has also significantly contributed to market enterprises in Bangladesh that have helped to stimulate the local economy. For example, BRAC operates small shops in eight cities which provide marketing outlets for rural artisans. These small department stores, employ a large amount of people, and sell the products of thousands of artisans. BRAC has also opened up factories that employ workers in humane working conditions with fair wages and has connected small scale farmers to markets where they can sell their items for good prices. While the number of jobs with

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<sup>210</sup> Smith, *Ending Global Poverty*, 75-79.

fair wages and working conditions that BRAC has created remains very small in relation to the enormous need, we can learn from BRAC's example of creating successful enterprises and markets to stimulate economic growth in other impoverished areas.<sup>211</sup>

Improving the local market is an important solution, but sometimes is an inadequate approach when dealing with markets that are international in nature. For example, a major precondition for child slavery in Cote d'Ivoire is that farmers do not receive enough income from their cocoa to be able to employ adult laborers. At some point, the international cocoa price needs to be adjusted, which is where solutions like fair trade come in, which will be discussed below in the consequences section. Another way of addressing this issue is to reform the cocoa marketing board systems in place in Cote d'Ivoire and Ghana to ensure that farmers receive a fair price for their farmer, that is not unfairly taken away by over taxation. There are also deeper economic layers to global production, which should make us wary of simplified solutions that do not consider the big picture. For example, a common solution to the economic preconditions to child slavery in Cote d'Ivoire is to provide cocoa farmers with fertilizer and pesticides to improve the productivity of their farms. In theory, this could help reduce child labor and slavery. If farmers are making more income on their farms, they may be able to employ adult laborers rather than exploit children's labor. But, if farmers are not receiving a good price for their cocoa, this increased productivity will not necessarily improve their livelihood. Also, in the long run, increasing productivity will actually decrease farmers' income, because with more supply, the price given to farmers will drop.

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<sup>211</sup> Smith, *Ending Global Poverty*, 93-96.

#### 3.1.1.4 *Assisting the Poorest of the Poor*

One issue with many micro financing and development programs is that they are helpful to the moderately poor, but often overlook the extremely poor (i.e. those earning less than \$1 per day) who cannot join the microfinance programs because the required savings are beyond their reach or because they are unable to realistically start any enterprise.

Microcredit may simply add to their unproductive debt, because of the poverty and social exclusion in which they live. For example the extremely poor in Bangladesh often labor for long hours as housemaids or farm day labors in exchange for a few cents a day, typically equivalent to the cost of two cups of rice. If the extremely poor already do not have complete control over their labor and are working extremely long days simply to survive, it is unlikely that a small loan will really help improve their condition.<sup>212</sup> In the fight against slavery, it is important to find other solutions to aid the extremely poor as they may already be working in unfair work conditions and are likely to be susceptible to contemporary slavery.

Creating solutions to aid the extremely poor has also been taken on by the NGO mentioned earlier, the Bangladesh Rural Advancement Committee (BRAC). BRAC has developed a program ‘Targeting the Ultra Poor’ (TUP) which is focused on developing human capital (health, education, and training) and social capital (village support networks for the poor), and on confronting power structures that disempower the poor. The TUP program works with local village leaders (often school teachers, or other well-educated, relatively un-biased individuals who are not employers of the poor) to locate the extremely poor within the community and to develop a support committee that monitors the progress of the TUP program and intervenes in participant’s personal crises,

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<sup>212</sup> Smith, *Ending Global Poverty*, 89.

that could otherwise be devastating. Often the extremely poor consist of households that own very little land, are female-headed or where the main male income earner is physically unable to work regularly, and families where the school-aged children have to work in order to survive. Participants in the program are assisted in developing a small income-generating project, such as raising chickens and selling their eggs or growing fruit trees on a small rented plot of land. Rather than just providing a loan, TUP works to help people access the tangible assets, such as farm animals even if they only own a small patch of land around their home. The TUP program also helps people choose projects for which there is a demand in the local level or helps connect them to an active market if there is demand on a larger regional or national scale.<sup>213</sup> For many, the TUP program has been highly empowering and successful, particularly for those that no longer have to labor for long hours in landlord's houses and fields, and can instead work for themselves. BRAC's ultimate goal is that individuals will be able to create enough of a sustainable income from their projects to be able graduate from the TUP program and participate in other micro financing programs.

I can imagine that programs similar to the TUP could be very successful in preventing slavery if they were specifically implemented in impoverished communities that are vulnerable to exploitation. For instance many of the children trafficked to work on cocoa farms in Cote d'Ivoire come from impoverished families in Burkina Faso and Mali and migrate because there are very little economic opportunities for them at home. If a program like TUP was established in their home villages, it is possible that their parents could generate enough income that the children would not feel the push to migrate under dangerous conditions. This would not solve the issue of why Ivoirian

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<sup>213</sup> Smith, *Ending Global Poverty*, 89-93.



farmers need to employ unpaid child workers, but could deal with the issue of having a steady supply of poor children from Burkina Faso and Mali that are vulnerable to exploitation.

While considering these economic solutions, it is important to not lose sight of the reality that people are more than their working lives. This means we must consider why we are promoting better wages; that is looking at income as a means rather than an end. Many would argue that people have more purpose than working from dawn to dusk, and that income should allow them to in some sense live a better life.

### 3.2 ADDRESS THE SOCIAL PRE-CONDITIONS

In addition to endemic poverty, discrimination and social exclusion continue to be major contributors to the existence of slavery today. Institutional discrimination can marginalize communities, making them more vulnerable to slavery because they have less access to economic and social opportunities and are less able to defend their rights. In 2000, the United Nations High Commissioner for Human Rights highlighted the connection between slavery and discrimination stating that “victims of slavery and slavery-like practices frequently belong to minority groups, particular racial groups or categories of people who are especially vulnerable to a wide range of discriminatory acts, including women, children, indigenous people, people of ‘low’ caste status and migrant workers.”<sup>214</sup> However, the connection between discrimination and slavery is not often acknowledged or addressed in many anti-slavery responses. If we are to truly address the

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<sup>214</sup> Antislavery International, “Arrested Development: Discrimination and Slavery in the 21<sup>st</sup> Century,” 2008, [http://www.antislavery.org/includes/documents/cm\\_docs/2009/a/arresteddevelopment.pdf](http://www.antislavery.org/includes/documents/cm_docs/2009/a/arresteddevelopment.pdf), 5.

root cause of slavery, we must develop legislation and programs that deal discrimination and social exclusion.<sup>215</sup>

An important step in eradicating slavery through targeting social discrimination is to write and enforce anti-slavery legislature that is particularly focused on protecting the rights of the most marginalized members of society. Governments need to recognize the existence of discrimination and its link with slavery and create reform so that minority groups have equal access to protection before the law. One of the leading NGOs in the fight against slavery, Anti-slavery International, describes crucial steps that need to be taken to make sure anti-slavery legislature protects the rights of everyone in their report: “Arrested Development: Discrimination and Slavery in the 21<sup>st</sup> Century.” The first step in this is to review national legislation and either introduce national anti-discrimination laws or repeal discriminatory regulations, such as those which restrict migrant workers’ human and labor rights. Once the legislation is in place, governments then need to develop concentrated action plans to challenge institutional discrimination and societal prejudice.

Part of this will involve training local and national level law enforcement officials including labor inspectors, police, magistrates, lawyers, and immigration officers. Officials need to be trained in what anti-slavery laws exist and be made aware of their obligation to ensure the law is applied without discrimination. They also need to be trained to actively pursue slavery cases, rather than waiting for individuals to come forward and make complaints, since those in slavery may be unable to request assistance or may fear the consequences of making a complaint. This latter point is especially a concern for trafficked people who face fears of deportation if they go to the authorities. In addition to providing training, governments will need to provide enough resources to

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<sup>215</sup> Antislavery International, “Arrested Development: Discrimination and Slavery in the 21<sup>st</sup> Century,” 1-4.

ensure that laws can be fully implemented at a national level, including in isolated rural areas where it is easier to cover up the existence of slavery. We must also consider the reality that there are politically and socially unstable regions that do not currently have the potential to enforce legislation. In these cases, the anti-slavery response may have to find alternative ways to deal with slavery, potentially through international organizations like the UN or independent NGOs until the national government is able to enforce anti-slavery laws. Finally, governments need to frequently conduct evaluations on their slavery response. The number of successful convictions should be published by region and the Government should take immediate corrective action in regions where the law is not being effectively applied. Developing and enforcing anti-discriminatory legislature can protect marginalized groups from entering slavery in the first place and can be crucially important in helping those that are already enslaved escape.<sup>216</sup>

One prominent example of the need to write and enforce anti-slavery legislature that specifically protects can be found in the system of debt bondage which affects millions of people, particularly in south Asia. Debt bondage occurs in a variety of sectors including agriculture, brick making, mining, and domestic work. However, debt bondage primarily tends to affect indigenous people, minority groups, and those that are of lower caste status. For example, in India, where it is estimated that 15 million are currently trapped in debt bondage,<sup>217</sup> the Indian Government reported that as of 2000, more than eighty-six percent of bonded laborers were from low castes and indigenous groups.<sup>218</sup> Similarly, the vast majority of the 1.8 million people currently trapped in debt bondage in

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<sup>216</sup> Antislavery International, "Arrested Development: Discrimination and Slavery in the 21<sup>st</sup> Century," 19-20.

<sup>217</sup> Walk Free Foundation, "Global Slavery Index," 43.

<sup>218</sup> Antislavery International, "Arrested Development: Discrimination and Slavery in the 21<sup>st</sup> Century," 6.

Pakistan come from minority groups, particularly religious minorities and indigenous peoples.<sup>219</sup> The first important step in addressing the social discrimination that fuels debt bondage in south Asia is to reform the legal system. An important issue bonded laborers face in seeking freedom, is that the legal system that is supposed to assist them is usually composed of officials that belong to the same caste as their ‘masters’ who keep them in debt bondage. These officials are more likely to side with the ‘masters’ and even if individuals manage to obtain their freedom, they might find that in their freedom they are subject to violence or social and economic boycotts which can make it impossible for them to seek employment elsewhere in the region.<sup>220</sup>

Secondly, the relationship between social discrimination and poverty needs to be addressed. Discriminatory practices against marginalized communities systemically narrow their economic opportunities, making it likely for them to be affected by poverty and at risk of slavery. Sometimes the presence of discrimination is very clear, for example in India where occupations are allocated on the basis of caste. In cases like this, the structural caste or class systems need to be challenged so that people have a freedom of employment and opportunity. Even when the presence of discrimination is more subtle, actions need to be taken to help marginalized groups access income, by strategies like micro financing as described above. It is also important that development programs take discrimination and social isolation into account as even in areas that have anti-poverty measures in place, discrimination can prevent or inhibit certain groups from accessing education, health care, clean water, or credit.

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<sup>219</sup> Walk Free Foundation, “Global Slavery Index,” 39.

<sup>220</sup> Antislavery International, “Arrested Development: Discrimination and Slavery in the 21<sup>st</sup> Century,” 6.

Another connection between discrimination and poverty we need to consider is the threat to land rights that many marginalized people face. The connection between a lack of access to land and slavery is painfully apparent in South America, where in countries such as Paraguay, Peru, and Bolivia indigenous people had their land confiscated many years ago. In these countries today, it is indigenous peoples that are the most disproportionately affected by forced labor and debt bondage. For example, in Paraguay much of the indigenous land was sold off to foreign speculators by the Paraguayan Government in 1885. Today, few indigenous people have access to their own land and those that do, often cannot benefit from it commercially because they lack capital and cannot live on it because their holding is too small or the land is infertile. In addition to lacking land rights, indigenous people have much higher rates of illiteracy and are paid much less than their Paraguayan colleagues for equal work. Not coincidentally, it is currently estimated that 8,000 indigenous people are involved in forced labor on agricultural estates in the northern region of the country. Work on the estates is one of the few employment opportunities available in the region, however because workers are paid salaries below the minimum wage and have no other options but to buy overpriced goods in the estate shop, they are often left with little or no money for their work, sometimes even becoming indebted to the estate. An almost identical system exists in Bolivia where around 7,000 indigenous workers in forced labor on cattle ranches. Similarly in the Amazonian rainforest in Peru, an estimated 33,000 people are subject to forced labor in the logging industry and approximately seventy-five percent of these forced laborers are indigenous people.<sup>221</sup> Without access to their own land, many of these indigenous groups have little other choices, but to work for others for subsistence rates.

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<sup>221</sup> Antislavery International, "Arrested Development: Discrimination and Slavery in the 21<sup>st</sup> Century," 7-8.

The question of land rights for indigenous peoples needs to be addressed and their rights protected so that they are no longer vulnerable to forced labor. This might involve land redistribution schemes or other social programs that help indigenous people maintain a sustainable livelihood without having to work on other people's estates. Also work regulations need to be created and enforced for those individuals that choose to work on estates.

Thirdly, gender inequality contributes to the existence of slavery and also needs to be addressed in programs dealing with social discrimination. Some forms of slavery uniquely affect women. For instance, ninety-eight percent of those trafficked into sexual exploitation around the world are women and girls. However, many women are also caught in labor slavery and women all around the world are subject to inequality which heightens their vulnerability to slavery. Women are often excluded from large sections of the labor market and regularly can only find jobs that are unskilled and poorly paid. When they do find work they often suffer worse terms and conditions than men and are paid less for the same work.<sup>222</sup> The lack of opportunity for women is clearly displayed in Peru, where only thirty-five percent of the economically active female population are able to find work and when they do find work they are often paid well under the minimum wage. With less employment opportunities women can become increasingly desperate to find paid work and thus more open to offers by traffickers.<sup>223</sup> Just as some of the poverty alleviation strategies outlined above were specifically targeted at empowering women, we also need strategies that deal with the social discrimination of women. If women were given the same opportunities for education and

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<sup>222</sup> Antislavery International, "Arrested Development: Discrimination and Slavery in the 21<sup>st</sup> Century," 10.

<sup>223</sup> Antislavery International, "Arrested Development: Discrimination and Slavery in the 21<sup>st</sup> Century," 29.

employment as men and paid the same salaries, there would be less pressure on women to migrate or accept unfair work in order to survive. There is a need for community based strategies that help women stand up for their rights, fight violence, and demand equal access to jobs, health care, and wages. Another strategy for protecting women's labor rights is to put regulations on jobs commonly done by women such as domestic work. In many countries, domestic workers can be subjected to conditions of employment that would be illegal for any other occupation. Governments need to find a way to investigate and regulate conditions of domestic work as well as other informal occupations. In order for gender inequality to be effectively addressed, it is important that anti-slavery organizations partner with people and groups that are already fighting to improve women's rights.

Finally, it is important to note that societal prejudice is not just an issue in developing countries, but that a similar connection between social discrimination and slavery exists in developed countries, most commonly in the form of human trafficking. The vast majority of people trafficked to developed countries are migrant workers and are controlled through the "removal of their documents or the manipulation of their migration status; the existence of a debt which must be repaid; and the use of threats, intimidation or violence by the trafficker."<sup>224</sup> The vast majority of victims of trafficking in developed countries are foreign nationals who often face discrimination in the country they are trafficked to. For instance, in the United States, there is clear evidence that between 1997 and 2007, well over one thousand workers were trafficked to harvest crops in Florida and subject to harsh working conditions and forced to pay back debts for transportation,

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<sup>224</sup> Antislavery International, "Arrested Development: Discrimination and Slavery in the 21<sup>st</sup> Century," 27-28.

accommodation, and other various charges like work equipment. The majority of the workers were migrants from Mexico, Guatemala and Haiti, although some of those trafficked were US citizens, mostly African American, who were mainly recruited from homeless shelters.<sup>225</sup> Countries that are major destination points for migrant laborers, need to reform their immigration policies to help detect trafficked individuals and ensure that exploited migrant workers can seek help from the law rather than immediately being criminalized.

### 3.3 ADDRESS THE POLITICAL PRE-CONDITIONS

A major tension in the global political economy is the difference between capital and territorial logic. Essentially capitalist logic is focused on profit and individual advantage, while territorial logic is interested in the collective advantage and is constrained by the political nature of the state as well as some sense of responsibility to the state's citizens. This tension creates an important political pre-condition, because it is the territorial logic that would tend to focus on protecting worker rights and livelihoods. However, capitalist oriented corporations often have more control over the processes that directly affect workers. For instance in the cocoa sector, the Ivoirian government has some say in how much money farmers receive for their crops based on the way they organize the cocoa marketing board and structure taxes. However, it is the stock market in New York and London as well as major chocolate corporations that truly control the international cocoa price, which has a major impact on what farmers are paid. This creates confusion about responsibility for workers' rights. Chocolate companies are often targeted by activists to clean up their cocoa supply chain to ensure child labor is not involved in production, but

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<sup>225</sup> Antislavery International, "Arrested Development: Discrimination and Slavery in the 21<sup>st</sup> Century," 10.



they can easily argue that it is the job of the government to enforce labor laws and protect its citizens from abuses.

Sometimes these logics come into direct conflict, for example in the gold mining industry in El Salvador where trade agreements have been established that allow corporations to sue national governments. In the past governments could pass laws to protect workers, the environment, and domestic interests without threat of extraterritorial legal challenge from corporations. That changed in the last couple of decades when corporations began to acquire the right to sue governments over actions that reduced the value of their investments.<sup>226</sup> This issue has become highly contested in El Salvador, where a multinational corporation is using investor powers to sue the government over the “right” to mine gold. From a democratic standpoint, this is particularly alarming because the majority of the Salvadoran public and the Salvadoran government oppose gold mining. The land has already been mined heavily since the 1900s and is full of toxic chemicals that were released during the extraction process. It would make more sense if El Salvador was suing the mining companies for environmental destruction, but instead Canada’s Pacific Rim Mining Corporation is suing the Salvadoran government, demanding that it either be allowed to mine or that the government pay it \$300 million in damages for refusing to grant a the corporation a mining license.<sup>227</sup>

Salvadorans and international human rights organizations have taken action against the pending law suit, initially by starting a petition drive to pressure the corporation to drop the suit. They have also organized several labor and civil groups to push the World Bank to drop its support for the International Centre for the Settlement of

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<sup>226</sup> Robin Broad and John Cavanagh, “A Strategic Fight Against Corporate Rule,” *The Nation*, February 3, 2014, 19.

<sup>227</sup> Broad and John Cavanagh, “A Strategic Fight Against Corporate Rule,” 22-24.

Investment Disputes (ICSID), which is the organization currently holding the suit.

Additionally, Salvadorans are working on establishing an alternative economy based on local enterprises and sustainable farming.<sup>228</sup> Regardless of the outcome of this situation, it is important that El Salvador is challenging corporations rights to sue its government, because it gives us an example of how states, with the backing of international support, can curtail the power of global corporations. Similarly, in regards to slavery, it will be important for governments and international actors to protect workers' rights, even if that action contradicts the logic of capitalism.

### **3.4 USE LEGISLATION AND REFORM TO STOP SLAVERY RIGHT NOW**

The first step in freeing slaves is to ensure that effective anti-slavery legislature is in place and that adequate measures are being taken to enforce it. However, while laws are certainly important, we must remember that laws in themselves do not end slavery as slavery is often a hidden crime that must be actively rooted out. In order to effectively implement these laws, a proactive approach from the government is needed which includes an allocation of appropriate resources for implementation.

One country that has developed a respected approach to ending slavery within its borders is Brazil. It is currently estimated that 209,000 people are enslaved in Brazil, primarily in forced labor in sectors such as agriculture, clothing manufacturing, and charcoal production. Brazil has frequently been praised in its work combatting slave labor, in large part due to the work of its National Commission for the Eradication of Slave Labor (CONATRAE). An important part of this commission is the Special Mobile

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<sup>228</sup> Broad and John Cavanagh, "A Strategic Fight Against Corporate Rule," 25.

Inspection Group which is a federal institution consisting of labor inspectors, police officers, and attorneys. The Special Group has been effective for enforcing the law against slavery, even in remote areas where estate owners have substantial political power. Just between the years 2003 and 2007, the Special Group had inspected more than 1, 870 estates and released more than 27,600 workers from forced labor. The reason the Special Group has been successful in freeing forced laborers, is because of how the group is structured. The federal police ensure that charges can be immediately brought against those that employ slave labor and provide protection for the other members of the special group. The mobile courts that accompany the Special Group are able to enact fines, freeze bank accounts and seize assets to ensure that the people who use forced labor are immediately punished and that workers receive the compensation they deserve. While the Special Group is of course not perfect, it is one of the most effective government responses to the immediate situation of slavery, and is a method that should be replicated in other regions.<sup>229</sup>

Although the Special Group in Brazil has been effective in rescuing slaves, the Department of Labor Inspections in Brazil showed that in the between 1996 and 2004, forty percent of workers freed from forced labor had been released more than once. This information serves to remind us that anti-slavery measures cannot stop at freeing individuals and even securing them the money they are owed for their labor without also addressing the reasons why workers were vulnerable to forced labor in this first place.<sup>230</sup> This is why a multi-pronged approach to ending slavery is so essential.

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<sup>229</sup> Antislavery International, “Arrested Development: Discrimination and Slavery in the 21<sup>st</sup> Century,” 20.

<sup>230</sup> Antislavery International, “Poverty, Development and the Elimination of Slavery,” 10.

### 3.5 ADDRESS THE CONSEQUENCES OF GLOBAL CONSUMPTION

One consequence of our globalized economy is that we are all in some way connected to slavery through the things we buy. The list of products that at some point have been made with slave labor is quite long, meaning that all of us are likely buying, eating, or wearing something that has slavery in it. For a list of products we regularly buy that are tainted with slavery, see the appendix. For some consumers, the idea of using slave-made goods is revolting and some feel compelled to take action to rid their lives and homes of slave made items. These consumers in fact make up a pretty small population of the consuming ‘developed’ world, and while most fair trade and ethical solutions are targeted with this group, we will have to consider solutions that target the general population of consumers. A ‘typical’ consumer may not be aware of the way the products he/she buys are produced or may be aware, but choose to look away or not feel motivated to change his/her buying habits based on this knowledge. An important step then is to raise awareness about coercive labor. A very second important step though is to figure out how to give people, who already have a slew of humanitarian causes bombarding them every day, tangible steps to take in ethical consumption rather than simply making them feel guilty about what they buy. Most of the solutions I propose here are realistically only likely to impact the ‘conscientious consumer,’ someone who is willing to buy fair trade and is concerned with consuming ethically. Developing solutions for the ‘general’ consumer is something I would like to address in future research.

The best way to go about improving our consumer habits is not always clear, which is largely because the global production process is very complex. A major issue that arises because of this is that it is really difficult to trace the supply chain of products

and determine if at any point the production involved coercive labor. For example, only a small fraction of the world's cocoa has slave input. Our problem as consumers is that it is almost impossible to determine if the chocolate bar (or what percentage of the chocolate bar) we are eating has cocoa that was harvested with slave labor. A genuine response is to never want to buy or eat chocolate again, knowing that there is a chance that a child could have worked for hours with no pay to produce even the smallest amount of cocoa in one's chocolate bar. Sometimes this is the correct response, but the difficulty with trying to fight slavery at the registrar, is that at the store it is essentially impossible to not purchase a product made by slaves without harming the many producers who made that product with fair labor.

As seen with the case of coercive labor found on colonial plantations in São Tomé and Angola described in chapter two, a typical response by Western consumers has been to boycott slave-made goods like cocoa. Although this was not always the best method for actually improving slaves' lives, it was a fairly logical response, because it was pretty clear that the majority of American made cotton in the nineteenth century and the rubber from the Belgian Congo in the twentieth century, had slave input. So, by boycotting cotton or rubber, consumers were directly impacting cotton and rubber producers that were undeniably employing slave labor. However, in today's situation, it is likely that boycotting a product like cocoa or cotton entirely would actually hurt those producers who don't use slave labor much more than those who do. For example, in the case of cocoa production today, it is estimated that five million households farm cocoa as a cash crop, with many of those farmers relying on cocoa for sixty to ninety percent of their

income.<sup>231</sup> The majority of these farmers do not use slave labor, and are already facing economic pressures from the fluctuating international cocoa price. Kevin Bales argues that if “consumers in the rich countries also turn against the farmers who don’t use slaves, by mounting a boycott that destroys what little market they do have, the result can be destitution and potentially enslavement.”<sup>232</sup> He and Free the Slaves, a sister organization of Anti-slavery International argue that the key to truly solving the problem of slavery is to “take slavery out of the product, not just throw the product out of our homes.”<sup>233</sup>

However, I believe that consumers still have some responsibility for the products that they choose to buy, and that not making any change on their consumption patterns based on their knowledge of slavery involved in production is not the right answer either. So, instead of pushing the problem away by boycotting, I think the solution for consumers is to become active in rooting out slavery in the products they buy. The first step of this is awareness. Consumers can begin by researching which products are the most likely to have been made with coercive labor as well as which companies are taking the most action to clean up their supply chain. They can also specifically support companies which are actively pursuing equitable conditions for producers, which is where the solution of fair trade comes in. In addition, consumers can rethink how they consume. For instance, if a consumer is aware that their laptop was likely made with conflict minerals and built in factor with poor conditions, they can choose to make the use of that laptop for as many years as it will last, rather than buying a new one every time a new style comes along. Finally, consumers can become activists both by

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<sup>231</sup> Holly Houston and Terry Wyer, “Why Sustainable Cocoa Farming Matters for Rural Development,” Center for Strategic and International Studies, September 6, 2012, <https://csis.org/publication/why-sustainable-cocoa-farming-matters-rural-development>.

<sup>232</sup> Bales, *Ending Slavery: How we Free Today’s Slaves*, 183.

<sup>233</sup> “About Slavery,” Free the Slaves, accessed March 14, 2014, <https://www.freetheslaves.net/faq>.

monetarily support anti-slavery organizations and by asking hard questions of the businesses they buy from regarding their labor practices.

### **3.5.1 Fair Trade**

Fair trade is often promoted as an important method of altering the unjust terms of trade that effect small-scale producers worldwide. The purchase of fair trade products is also often suggested as an alternative to buying products that are potentially slave-made. Supporters of fair trade make strong claims about its benefits asserting that fair trade “not only results in more just prices or living wages, ends rural poverty, fosters sustainable farming, empowers poor people and women, and enhances food security, but also creates a fundamentally more equitable international marketplace.”<sup>234</sup> Fair trade is certainly an important solution and has important benefits for the producers it serves, which I will elaborate on through a brief case study of fair trade coffee grown in Mexico. While examining the positive benefits of fair trade, I will also discuss some of the limitations and propose ways to improve our current fair trade system. Finally, I will discuss the inherent limitations of fair trade because it is a market-based solution to a market-based problem and will point to accompanying solutions that need to support fair trade in order to achieve all that fair trade is supposed to do.

The fair trade movement began in Europe in the late 1980s and is simultaneously a social justice movement and an alternative market structure. Advocates of fair trade work to ensure that a larger portion of the consumer’s purchase price is returned directly to the original producers. Fair trade also often signifies that products come from democratically organized farmer or artisan cooperatives. A fair trade labeling system has

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<sup>234</sup> Daniel Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival*, (Berkeley: University of California Press, 2007), 3.

been developed in order to ensure that goods are produced under ‘fair’ conditions.

Depending on the labeling system, there are different criteria required for a product to be classified as fair trade, but in general the following standards must apply. First, fair trade buyers are required to pay producers a guaranteed minimum price that covers the costs of production and protects producers from unpredictable market-price fluctuations.

Additionally, buyers pay a “social premium” which is a fund that is used by the community for development projects such as schools, roads, or health centers. An additional premium is given if the goods are certified organic. Secondly, producers must be entitled to partial payments or credit in advance of the harvest so that they are not forced into debt when they are not actively making money from their crops. Thirdly, fair-trade products have to come from democratically organized cooperatives, in which the farmers have a voice in the production process and have access to transparent financial information. Also, producers and buyers are encouraged to engage in long-term contracts and trading partnerships to establish greater economic stability. Additionally, environmentally sound production methods have to be used by the producers. Finally, for cases in which goods are produced by waged laborers (i.e. on a banana or tea plantation), buyers have to certify that workers are paid a living wage, provided with decent working conditions, and have established independent unions or worker associations.<sup>235</sup>

Coffee was the first certified fair-trade product. The fair trade coffee movement has continued to be successful, in part because coffee’s importance in the global economy (more than \$70 billion worth of coffee is traded each year) and because it is the largest cash crop, providing income for twenty to twenty-five million peasants around the world. Coffee is also an ideal crop for fair trade production because it undergoes little

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<sup>235</sup> Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival*, 1-2.



transformation from the time it is picked until it is grinded, changes hands fewer times than other commodities, and is typically picked by small-scale producers that consumers can at some level personally connect with.<sup>236</sup> Many coffee farmers have benefited from the fair trade system by receiving higher prices for their crops and by being able to have a voice in the local, cooperative organizations.

An example of how fair trade has benefited coffee farmers can be found in the Oaxaca state in Mexico, as described in Daniel Jaffee's book *Brewing Justice*. Oaxaca has the most concentrated indigenous population in Mexico who are among the most socially and economically marginalized in the nation. Coffee is grown in many of Oaxaca's municipals which almost all face high rates of poverty.<sup>237</sup> Michiza, an indigenous coffee-producer organization, with its roots in a local initiated cooperative, has been working to improve farmers' livelihoods since the late 1980s by helping them produce organic, fair trade coffee. The farmers who participate in Michiza experience many benefits from fair trade production compared to their neighboring conventional producers.

The most visible benefit of belonging to Michiza is that farmers receive higher prices for their coffee. The difference in price received by Michiza farmers is most dramatically displayed during times of crisis. For instance, during the early 2000s cocoa farmers around the world faced an extreme drop in cocoa prices that had particularly harsh consequences for Oaxaca coffee producers. During this period Michiza farmers continued to earn a fairly stable amount of income from their coffee, with an average fair-trade family earning 5,431 pesos in 2002-2003 (approximately \$543) for their income

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<sup>236</sup> Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival*, 14.

<sup>237</sup> Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival*, 58-72.

from coffee sales, about four times higher than a conventional family who earned roughly 1,428 pesos (roughly \$142).<sup>238</sup> This price differential is consistent with evidence from other fair-trade cooperatives in Central America and Mexico, which typically offer fair-trade coffee producers twice the street price for conventional coffee, even after costs for cooperative management and other expenses were factored in.<sup>239</sup> Michiza members also had a much higher net income, averaging 2,288 pesos (US\$230) in 2002-2003 as compared with conventional farmers who earned virtually nothing, averaging about 481 pesos (US\$48) for their year of harvesting.<sup>240</sup>

Another important way Michiza members benefit is from the timing of payments. Conventional farmers who sell to a typical buyer are typically paid at the time of sale. Whereas payments for Michiza's members were spread out in three installments throughout the year; the first, a prepayment, made before the harvest begins, the second, paid in April on delivery of the harvest; and the third, a final adjustment, paid in June or July based on the organization's final income after all the coffee is sold. Michiza's payment plan prevents farmers from having to take on debt during the off-harvest season, which protects them from loan sharks who often lend on unfair terms. The financial benefits for Michiza members' income is quantitatively clear in Jaffee's research where of the farmers he interviewed, sixty-five percent of the fair trade farmers had increased their coffee income during the crisis period of 1998-2003, whereas nearly sixty-five percent of conventional incomes had decreased during the same period.<sup>241</sup>

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<sup>238</sup> Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival*, 104.

<sup>239</sup> Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival*, 95.

<sup>240</sup> Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival*, 123.

<sup>241</sup> Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival*, 93-99.

Michiza farmers also described gaining intangible benefit from being part of an organization. For instance, they enjoyed security from their fair trade partnership by having a safe and reliable place to sell their coffee. Farmers belonging to the Michiza organization also have more access to education for their children, which most of them believe is the avenue to escape poverty. The difference between conventional and fair trade groups is especially apparent after secondary school, where thirty-one percent of the fair-trade farmers Jaffee interviewed were able to send at least one child to secondary school in comparison to twelve percent of conventional farmers.<sup>242</sup>

Fair trade farmers also have access to a system of technical advisers in each village and region, who are experienced producers that provide training and help with production methods and quality improvement.<sup>243</sup> This training in conjunction with the organic production methods practiced by Michiza members – practices which increase soil fertility, reduce erosion, and keep coffee plants most productive – has contributed to a higher harvest yield among fair-trade producers. For instance, Michiza members harvested an average of 500 kilograms of coffee in 2002-2003, whereas conventional producers only harvested 320 kilograms.<sup>244</sup> The encouragement of sustainable growing practices not only contributes to farmers' income in the immediate, but also ensures that the land is taken care of so that they can continue producing coffee in the future.

Michiza also provides an important sense of community, allowing its members to experience the sense of belonging to something larger than themselves. Many farmers who have participated in Michiza for several years agree that a major reason they have stuck with Michiza is because it allows them to be “actors in a collective process, one

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<sup>242</sup> Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival*, 113-115.

<sup>243</sup> Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival*, 100-101.

<sup>244</sup> Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival*, 102-103.

that has deeper meaning than any simple measure of loss and profit.”<sup>245</sup> The presence of Michiza has been especially important for women, because it offers them the opportunity to participate as equals in an economic system that has traditionally been dominated by males.<sup>246</sup>

In sum, the experience of Michiza farmers demonstrates that fair trade solutions can have a positive impact on small-scale producers. The benefits of fair trade for these farmers were that they: received stable, higher prices; consistently had a safe and reliable place to sell their coffee; were paid in installments so that they didn’t have to worry about taking on debt in the off-harvest season; had the ability to pay for the education of their children; had access to technical advisers and training in organic farming; and enjoyed the ability to participate in a collective process. These benefits are significant and remind us that although fair trade is not a perfect system, it has potential to improve the lives of farmers and is a practice that should be replicated elsewhere.

While Michiza farmers benefited directly from engaging with fair trade, there are also larger scale benefits for the communities that these fair-trade producers live in. One important benefit is that Michiza members pump extra cash into the local economy, redistributing income across the community. This means that the whole village is benefiting from the fair trade market, even if only a small number of families actually participate in fair trade organizations.

There are also long term benefits for the community when fair trade farmers are able to afford education for their children or are able to save up enough money to send a family member to work abroad. Although there is valid concern that migration creates a

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<sup>245</sup> Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival*, 245.

<sup>246</sup> Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival*, 244.

‘brain drain’ for the local community, many family members abroad send remittances back home, which can create an additional cash supply to stimulate the local economy.

A mixed outcome of fair-trade and organic farming is that it is much more labor intensive than traditional farming methods. On the one hand this can be good for the community, because many Michiza members hire additional laborers outside of their family to help them maintain and harvest their crops at the standards that the fair trade/organic markets require. The extra demands of labor required for organic production clearly puts a strain on farmers, but there are also benefits to the system, particularly when fair trade farmers are paid enough in order to be able to pay their laborers fairly. The additional labor demand that organic and fair trade coffee generates creates more jobs in the communities and can be an important source of cash income for poor families in rural communities, creating an important economic ripple effect.<sup>247</sup> If the fair trade system is functioning properly (i.e. farmers are being paid enough to be able to pay their workers fairly) then the community can truly benefit from organizations like Michiza, because they pump extra cash into the local economy and create jobs by hiring local laborers.

While fair trade has very important benefits for its members, as of 2007, only ten to twenty percent of households in coffee growing communities in Oaxaco were members of Michiza. There are different theories as to why Michiza membership rates are fairly low. One reason is because membership requires a lot of additional work for farmers. Not only are the fair trade and organic farming methods more labor intensive, but members must commit to attending a series of committee meetings and fulfill other obligations to remain an active member of the group. This approach makes it so that Michiza members

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<sup>247</sup> Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival*, 122-123.

must spend all of their time focusing on coffee, which is somewhat of a culture clash with the long standing traditional mindset of growing coffee as a small cash crop alongside other subsistence food crops.

Some farmers also do not know if the financial cost of producing organic/fair trade coffee, which typically requires hiring outside labor, is worth the economic gain of receiving higher prices for fair trade coffee.<sup>248</sup> Farmers may also be wary of taking the economic risk of investing in fair trade coffee, because they know that some fair trade producers lose some of their net income because not all of the coffee they harvest meets Michiza's high quality standards. Also occasionally Michiza was not able find a buyer to pay the guaranteed fair-trade price, in which case farmers had to sell some of their high quality coffee at the lower international price.<sup>249</sup> When this happens farmers lose money, because they had to invest in the additional labor needed to grow organic coffee, but don't receive the higher fair-trade price. These are valid concerns for many farmers and if fair trade is going to grow in communities like the Oaxaca coffee farming regions, organizations like Michiza will have to find ways to address some of these concerns. To truly deal with farmers' concerns, organizations like Michiza will have to carefully listen to farmers and allow farmers to be important actors in decisions about fair-trade production.

I will now discuss suggestions for improving fair trade. Fair trade has significantly improved the lives of small-scale farmers and has demonstrated that economic exchange can happen on more equitable terms for producers. However, there is much potential to improve the fair trade system and strengthen the movement, as Jaffee

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<sup>248</sup> Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival*, 126-127.

<sup>249</sup> Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival*, 107-109.

suggests in his book *Brewing Justice*. First, the base price that fair-trade producers receive needs to be reexamined and raised. A common critique of the fair trade system by producers and their organizations is the minimum price. For instance between 1992 and 2007, the fair-trade base price for coffee did not rise for Michiza, but the organization's costs have increased by three times, severely limiting the proportion of the fair trade price that is returned to its members making the fair-trade minimum inadequate to sustain their livelihoods. A crucial first step in raising the base price for producers is for fair trade organizations to research the production and living costs for small producers for each commodity and to adjust the base price accordingly so that farmers receive a living wage.<sup>250</sup> Developing a research method for determining the living wage farmers should receive would be helpful for enhancing the lives of fair trade farmers, but could also improve the lives of farmers (and other types of producers) around the world if this methodology was applied in other settings in order to demand that other workers are paid a fair wage.

Secondly, economic benefits need to be more justly allocated across the fair trade production chain. Arguably enough, the fair trade system is not truly fair when some of Michiza's farmers still cannot adequately feed their children after thousands of hours of difficult labor growing cocoa. While we cannot expect fair trade to completely improve living conditions, it is possible to reform the product chain to return more income to producers so that they can live with "dignity, be fully food secure, and put aside money for improvements in health care, education, and housing for themselves and their families."<sup>251</sup> A reasonable goal for doing this would be to increase the share of the

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<sup>250</sup> Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival*, 248.

<sup>251</sup> Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival*, 249.

purchase price that is returned to the producer organizations. The fair trade system could do this by requiring retailers to return one-third of the retail price for a commodity like coffee to the original producers. Another more radical approach is to demand that producers have an economic stake in the retailing of their products in developed countries. A few innovative fair trade organizations have taken on this approach, such as the Divine Chocolate Company in the United Kingdom, in which cocoa farmers in Ghana hold one-half of the ownership and have input into decisions about how Divine is produced and sold.<sup>252</sup> This model reminds me of the community based approaches to ending slavery described in the first chapter, which demonstrated the importance of developing solutions that empower local people and allow them to be a part of the solution making process rather. Of course this is a much more manageable solution for commodities like coffee that have a relatively short production chain from the farmer to the retailer. Another solution may have to be worked out for products like garments that involve multiple steps on the production chain which create a large gap between the producer and the retailer.

Thirdly, the fair-trade system needs to be made more inclusive and open to a larger group of producers. Many small producers are excluded from participating in fair trade for many reasons including the costs of organic and fair trade certification, as well as the intensity of the high quality standards. Some farmers may need an initial sponsorship to enable them to pay for the initial fees for fair-trade and organic certification. It is possible that one way of doing this would be to incorporate a micro-financing component into the social premium aspect of fair trade. Alongside other development projects, a small fund could be allocated which would allow new farmers to

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<sup>252</sup> Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival*, 249-250.



borrow the amount needed to start growing their crop using fair-trade standards. Like other micro-financing systems, this farmer would be then be responsible to the cooperative to pay back their loan, so that the cooperative would be able to later finance other farmers.

Also, part of the licensing fees paid by fair trade importers and retailers should be targeted to training programs which help producers improve harvesting and processing methods. Additionally, in order to sustain the entry of new small producers to fair trade systems, the demand for fairly traded products in the ‘developed’ world needs to increase.<sup>253</sup> Part of this will involve spreading awareness and mobilizing consumers to consider investing in fair trade products.

Another suggestion for improving fair trade is to support producers in the costs of organic production. Almost universally, fair trade certification also requires organic certification, which places an extra set of demands on farmers. Especially because the environmental impact of organic production is important on a global ecological scale, small producers should be compensated for the extra costs, labor demands, and lost productivity involved in organic farming. One way to do this would be to develop an international subsidy system that supports farmers in the years when they transition their farms to be organic and often experience a drop in yields, but cannot yet receive the higher prices of organic certification. The fair trade movement cannot take full responsibility to implement this action, but would need to be supported by environmental NGOs and governments.<sup>254</sup>

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<sup>253</sup> Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival*, 250.

<sup>254</sup> Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival*, 250-251.

The balance of power within fair trade also needs to be addressed. The fair trade system was initially developed to create more equitable market terms for small scale producers in the developing world. However, the governance structure of most fair trade organizations does not reflect fair trade's emphasis on equality. For example, Fairtrade Labelling Organizations International (FLO), a major player in fair trade certification, is predominantly influenced by importers and retailers, whereas producers hold only a small number of votes on policy decisions. Transfair USA, another major fair trade labelling group, does not have a formal mechanism to respond to input from producers. Particularly as more commercial players with substantial economic power enter the fair trade system, more effort will be needed to ensure that producers' voices are not drowned out in fair trade decisions. Fair trade certifiers like FLO and Transfair USA should restructure their government structure so that producer groups, fair-trade NGOs, and activist organizations are equal participants with substantial voting rights. Western fair trade businesses also need to move beyond simply buying goods from producers at the minimum fair trade price and instead work on including producer groups as business partners or co-owners, just as Divine Chocolate has done. This would allow producers to act as partners rather than mere recipients of fair trade benefits and would be a forward thinking step in improving the economic fairness of fair trade.<sup>255</sup> Again, this emphasizes the importance of solutions that empower local people and give them a voice in solving issues that directly affect them.

The fair trade movement also needs to evaluate the impact of profit-oriented corporate partners' impact on defining the values and terms of fair trade. Partnership with these large retailers is essential if fair trade sales are to expand significantly, but at the

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<sup>255</sup> Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival*, 252-253.

same time many advocates of fair trade are worried that the presence of large retailers may dilute the integrity of the movement and threaten the future legitimacy of the fair trade seal. One way to protect the integrity of fair trade while partnering with large corporations is for certifiers to put stricter conditions on fair-trade marketers. For instance, the FLO should mandate a minimum percentage of a company's supply chain that must be purchased from fair-trade sources in order for the company to be able to use the fair trade seal. It should also establish a system to raise that percentage annually and should require that all participants maintain transparency in regards to how much of the product they buy/ sell is fair trade. It would also be helpful if the labeling system allowed consumers to differentiate between participants who sell one hundred percent fair trade products and companies who sell products that only partially contain fairly traded ingredients. Also, certification bodies like the FLO need to ensure that these criteria are applied equally to all participants, no matter the size of the company. To make sure that certification systems do not compromise their demands for certain companies, fair trade needs a check and balance system of independent NGOs and activist groups that can hold certification groups like the FLO accountable.<sup>256</sup> This is also a point where consumers can be advocates and demand that fair trade labels actually signify that products were made in fair conditions.

Finally, it will be important for fair trade to strengthen its links with other global justice movements that question the broader dynamics of economic injustice, such as the way trade organizations like the World Trade Organization govern global commerce.<sup>257</sup> As with the other solutions presented in this section, fair trade is *a* solution to global

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<sup>256</sup> Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival*, 253-255.

<sup>257</sup> Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival*, 257.

economic inequality, but is inherently limited because it is a market-based solution to a market-based problem. While we certainly need to continue to develop fair trade options, we also need to consider alternative solutions—which may involve rethinking global trade agreements or even re-analyzing the way we understand our global economy’s reliance on consumption.

### 3.6 ADDRESS THE CONSEQUENCES OF ENVIRONMENTAL DEGRADATION

There is a strong link between slavery and environmental destruction. For example, in the Democratic Republic of Congo there are high rates of forced labor in the mining of conflict minerals such as cassiterite, wolframite, coltan, and gold: minerals that are used in many electronics like computers and cell phones. It is commonly recognized that forced laborers suffer under the violence and unsafe working conditions of mining. But, another major issue with this industry is that the exploited workers are forced to exploit their land, leading to the degradation of the environment including soil erosion and contamination of water and soil by chemical extractors. If this environmental destruction continues unabated, communities living in this area will be hazardously exposed for decades, and may even become displaced from their land, making them susceptible to further forms of slavery.<sup>258</sup>

Similarly, in Bangladesh, forced laborers have been used to cut down mangrove forests to create shrimp ponds and fish-processing plants. Laborers suffer under awful working conditions and the environment suffers particularly from the destruction of mangrove forests, home to incredibly rich ecosystems. The mangroves also naturally

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<sup>258</sup> “Linking Human Trafficking and the Environment,” Not For Sale, accessed March 14, 2014, <http://www.free2work.org/2012/04/06/linking-human-trafficking-and-the-environment/>.

protect against catastrophes like hurricanes, which leads to further human suffering in times of natural disasters.<sup>259</sup>

In both the Democratic Republic of Congo and Bangladesh, the use of slavery and environmental destruction is fueled by Western demands for minerals and seafood, respectively. This creates a negative cycle where environmental destruction performed by the work of slaves creates commodities that are exported to the global market which then funds further enslavement and destruction.<sup>260</sup> This means that both exporting and importing countries have some level of connection with the environmental destruction and share in the responsibility in addressing these concerns. I will provide suggestions for actions that these different players need to take in the section about environmental destruction in Brazil below.

As discussed earlier, Brazil is a major exporter of pig iron, which is an important ingredient for steel. In order to produce pig iron, thousands of remote camps have pillaged large areas of natural rainforest to create wood charcoal that is used to fuel the furnaces that convert raw iron ore into pig iron. These charcoal camps often burn wood that is illegally located in protected forest areas or indigenous land. The production of charcoal is recognized as a driver of greenhouse gas emissions from the process of deforestation which has occurred at alarmingly rapid rates. There have also been numerous documented cases of slavery in the camps, where people are deceived into taking what they think is a legitimate job, but then find themselves in coercive debt bondage where they have to labor extremely long hours for little or no pay, under working conditions that are hazardous to their health. Using deception and fraud,

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<sup>259</sup> Not For Sale, "Linking Human Trafficking and the Environment."

<sup>260</sup> Kevin Bales, "The Deadly Link between Slavery and Environmental Destruction," Lecture, The Earth Institute at Columbia University, New York, NY, November 14, 2012, <http://vimeo.com/56705165>.

charcoal camps have managed to maintain this illegal production, relying on slave labor and illegal wood to lower expenses and increase their profit.<sup>261</sup>

The Brazilian government has had a relatively good response to the enslavement and environmental destruction issues associated with charcoal production. In addition to the federal Special Mobile Inspection group that is actively targeting slavery, the Brazilian environmental protect agency, Ibama, is a fairly effective agency for investigating environmental crimes in Brazil and penalizing perpetrators. However, the Brazilian government needs to expand the funding and capacity for Ibama and other federal prosecution to enforce legal restrictions in order to fully address the issues associated with charcoal production.<sup>262</sup> While the Brazilian government carries responsibility to clean up its charcoal production, the United States companies who import the iron to make steel that is used in cars and appliances made out of cast iron are also implicated in the negative consequences of charcoal production. Companies that heavily rely on steel, such as automakers and construction firms need to demand that those suppliers who use pig iron processed with charcoal put in place “verifiable, monitorable and reportable means of demonstrating their supply chain is free of forest destruction and slavery.”<sup>263</sup>

Another common response to the issue of environmental destruction is for the pig iron industry to find a replacement for wood charcoal. The most predictable solution for replacement is to create timber or eucalyptus plantations. While the use of planted forests

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<sup>261</sup> Greenpeace International, “Driving Destruction in the Amazon: How Steel Production is Throwing the Forest into the Furnace,” <http://www.greenpeace.org/international/Global/international/publications/forests/2012/Amazon/423-Diving-Destruction-in-the-Amazon.pdf>, 2013, 1-18.

<sup>262</sup> Greenpeace International, “Driving Destruction in the Amazon: How Steel Production is Throwing the Forest into the Furnace,” 25-27.

<sup>263</sup> Greenpeace International, “Driving Destruction in the Amazon: How Steel Production is Throwing the Forest into the Furnace,” 27.

is a better option than further forest destruction, monoculture plantations also threaten the environment with their heavy use of pesticides and high rates of water consumption.<sup>264</sup>

Both the Brazilian government and transnational corporations need to be cautious of these ‘quick fix’ solutions and require the eucalyptus and timber plantations to have adequate environmental and social safeguards in place.<sup>265</sup>

While the above solutions are important with dealing with the immediate effects of environmental destruction, long term solutions will need to consider the root problems of global production. A major concern here is that the system of global production and consumption is inherently unsustainable. That is, our economy which is entirely based on individuals continually consuming more and businesses gaining profits by employing the absolute lowest cost production methods available cannot be sustained by our planet. For this system to continue, more stuff will have to be made, which further depletes the earth’s resources and then eventually that stuff will have to be thrown away, which also adds to the destruction of our environment. Also, the only way the average consumer can continue to afford to buy so much stuff is if prices are low, which typically means that someone along the production line is not paid a fair wage or worse yet is trapped in coercive labor. While there are ways to make production more ethical, both for the producer and the environment, these types of solutions will never be enough to deal with the unsustainable way our global economy is structured. I am not really sure how we deal with this root cause, but the first important step is to ask tough questions about the global

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<sup>264</sup> Greenpeace International, “Driving Destruction in the Amazon: How Steel Production is Throwing the Forest into the Furnace,” 23.

<sup>265</sup> Greenpeace International, “Driving Destruction in the Amazon: How Steel Production is Throwing the Forest into the Furnace,” 27.

sustainability crisis so that we can begin developing solutions that really get at the heart of the problem.



## CHAPTER 4

### CONCLUSION

The more we learn about contemporary slavery, the more apparent the many layers of complexity within this issue become, and as anti-slavery researchers, we end up having many more questions about the topic than we did to begin with. In this section I will pose some of those unanswered questions, as a way of summing up and pointing toward future research areas. I will first pose questions in light of my cocoa case study before moving on to more generic questions about contemporary slavery in general.

After examining cocoa production in West Africa, I realized that there is far more research on coercive labor in that region than in any other cocoa growing regions such as Indonesia and South America. A next step in research then is would like to research cocoa production in other cocoa growing regions to understand if forced labor in cocoa production is unique to West Africa, or if there is something about the nature of cocoa farming that creates the conditions for coercive labor.

Additionally, Cote d'Ivoire has many more cases of coercive child labor in cocoa production than Ghana. It would be helpful to have more knowledge about why this is the case in order to see if there are any effective actions in Ghana, which prevent coercive labor, which we can try to replicate in Cote d'Ivoire. Additionally, I came across very little research on forced adult labor in Cote d'Ivoire and recommend that we conduct further gain a better understanding of how extensive this problem is.

In terms of global production, we need to develop methods to help us calculate just how much of the chocolate Western consumers buy is tainted by coercive labor. This

will be an important first step in tracing the source of that coercive labor, and will perhaps give us specific farming regions to focus our solution efforts on. Also, thinking about solutions, we ought to focus on learning about the Ghanian and Ivoirian perspectives on coercive child labor in their own countries and hearing about solutions they would propose to this issue. This will help us ensure solutions are fitted to the local context, and embraced by the local people as opposed to being solutions which are put upon them.

Additionally there are bigger picture questions about creating solutions to contemporary slavery that we can consider. First, who is responsible for enacting change and creating sustainable solutions to contemporary slavery? Global corporations? Local governments? International bodies? Consumers? What is each group's motivation for creating solutions and who is really benefiting from it? Thinking of the multi-pronged approach to ending slavery I discussed in the last chapter, part of the answer is that each of these groups has some responsibility to assist in the fight against contemporary slavery. But, who is going to encourage them to take on that responsibility and then hold them accountable? Also how do we adapt solutions to fit the local context and how do we organize information about existing, effective solutions that we may want to try replicating elsewhere?

In terms of eliminating the pre-conditions, we need to research further what it will actually take to ensure that small-scale producers are given a living wage for their work and are treated fairly. Whose responsibility is that (i.e. global corporations, governments, marketing boards?) Is it possible to transform the current state of the global market to ensure those who produce goods are paid fairly? What will that cost and who is going to

pay for it? What will motivate different actors to do that? Who will monitor labor conditions? Who will hold the labor inspectors accountable? Thinking of social preconditions, how do we confront social systems of racism and prejudice that ostracize certain members of society and justify the enslavement of certain individuals? How do we transform these culturally embedded values? Finally, in terms of political preconditions, how do we deal with the tension between territorial and capitalist logic? Is there a way to curtail the power of international trade organizations that obstruct the ability of local governments to protect their citizens and their environment, such as in the case of gold mining in El Salvador? Is there a way to rethink capitalism so that it does not exploit workers along the production chain?

Next, we need to learn more about what it will take to rescue slaves or coercive laborers right now. Who is going to be in charge of this? What does it take to empower people or communities to fight for their own rights and freedom rather than having an outsider come in and ‘rescue’ them? What social and political safeguards need to be in place for that to realistically happen? How do we determine when people need to be physically rescued and removed from their working place? When is it possible to reform working conditions to not be coercive so that people can stay in the place they are working? How do we ensure labor regulations are enforced and who is going to enforce them? If we do rescue people, how do we ensure they are given the counseling, education, and new skills/jobs needed so that they do not end up in coercive labor again? How do we help people in an empowering way, giving them agency to make the choice to leave rather seeing them as solely as victims? What about children who are working in hazardous conditions, but live with their family? How can we help individual families

eliminate hazardous working conditions for their children? Is the solution to make adults do the hazardous labor or to find a less dangerous way to do the labor?

Additionally, we need to consider what it will take to create solutions to the consequences of contemporary slavery. First, further research needs to be done about fair trade's capacity as a solution. Fair trade has many positive benefits for the small scale producers who participate in it, but we need to continue to ask hard questions about the limitations and unintended consequences of fair trade. For instance, how do we guarantee that fair trade labels actually ensure that products are made with fair and free labor? Some of the work I was reading was saying that with some fair trade certification systems, a product can be considered 'fair trade' if at least ten percent of its contents is made with fair trade material. To me, a ten percent fair trade product is not really fair trade, so how do we regulate labeling systems so that they are honest and effective? Also, is it really possible for products like garments or electronics to ever be considered fair trade, since it is next to impossible to trace the working conditions at each step along the production process? Do we need another sort of solution to deal with products like this that pass through many more hands in production than something like cocoa? Also, we need to consider that most people who can afford to buy fair trade products tend to be upper-middle class, well-educated individuals. Can we really expect the average American or European consumer to buy fair trade products, especially when these products are unaffordable for most consumers? Is it possible to make fair trade accessible to all consumers, or will it continue to remain a niche solution for a small portion of society? What other actions can/should global consumers take besides simply voting with their wallet by buying fair trade?

We also need to evaluate further what role businesses play in solutions like fair trade. If profit is the number one goal for businesses, why should they care about improving worker conditions in a country on the other side of the world? How do they benefit by ensuring their workers have better working conditions? Can big business be successful if all of its workers are paid fair wages and ensured good working conditions? Can businesses that buy the same raw materials or finished goods work together to ensure that the materials they import are produced ethically? Who is going to encourage businesses to clean up their supply chain?

Finally, we need to explore the relationship between labor exploitation and environmental destruction further in order to better understand how solutions to both of these issues can complement each other. Again, who is responsible for dealing with the environmental destruction of our global production chains? What do we do with land, air, and water sources that have been destroyed by production and communities that have suffered from that? Again we need to address the reality that our current practices of global consumption are inherently unsustainable. Is there a way to rethink our global economy and consumption habits to be less environmentally destructive? What is 'green capitalism' and is it feasible? What responsibility do consumers have to reduce their environmental footprint? What will motivate consumers, businesses, governments etc. to reimagine the way we consume and our relationship to the environment?

While I still have many more questions about the nature of contemporary slavery, the conceptual framework I developed in this research (pre-conditions, forms, consequences, and solutions) has been crucial in structuring my understanding of the issue and framing my questions. This framework also allowed me to explore some of the

historical elements of many of the factors associated with contemporary slavery, which has given me a much deeper understanding of the roots of slavery today. As Joel Quirk mentions, “most forms of contemporary slavery have complex historical roots, but these connections and associations have been obscured by a widespread assumption that the history of slavery concluded in the nineteenth century, and therefore has no direct bearing upon more recent problems.”<sup>266</sup> He also notes that most current authors who try to use a historical perspective to analyze slavery have often simply drawn on history for lessons on how to end slavery, hoping we can follow the example of abolitionists of the past. However, this framework allowed me to see that the linkages with history are not that simple and that there are unintended consequences of even well intentioned movements, such as the uncomfortable historical relationship between the legal abolition of slavery and European imperialism, which I discussed in my first chapter. Rather than simply trying to draw lessons from history, this more sophisticated perspective allowed me to consider the unintended consequences of solutions to slavery both in the past and today, and address some of these unintended consequences by advocating for a multi-faceted approach to ending slavery.

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<sup>266</sup> Joel Quirk, “Uncomfortable Silences: Contemporary Slavery and the “Lessons” of History.” In *From Human Trafficking to Human Rights*, edited by Alison Brysk and Austin Choi-Fitzpatrick, (Philadelphia: University of Pennsylvania Press, 2012), 18.

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<b>APPENDIX</b>	
<b>LIST OF COMMODITIES MADE WITH FORCED OR CHILD LABOR</b>	
<b>Commodity:</b>	<b>Countries which Produce it:</b>
	Note: *= forced labor **=child labor ***= both forced and child labor
Assorted Agricultural Products	Bananas (Belize**, Ecuador**, Nicaragua**, Philippines**), Beans (Mexico**), Blueberries (Argentina**), Brazil Nuts (Bolivia***, Peru*), Citrus Fruits (Belize**, Turkey**), Corn (Bolivia*, Guatemala**, Philippines**), Cassava (Brazil**, Nigeria**), Melons (Honduras**, Mexico**), Peanuts (Bolivia*, Turkey**), Tomatoes (Argentina**, Dominican Republic**, Mexico**)
Bricks	Afghanistan**, Argentina**, Bangladesh**, Brazil**, Cambodia**, Colombia**, Ecuador**, Nepal **, Pakistan**, Peru**, Uganda**
Carpets	Afghanistan**, Iran**, Nepal***, Pakistan***
Cattle	Bolivia*, Brazil***, Paraguay*, Uganda**
Charcoal	Brazil***, Uganda**
Coal	Colombia**, Mongolia**, Pakistan***, Ukraine*
Cocoa	Cameroon**, Cote d'Ivoire***, Ghana**, Guinea**, Nigeria***
Coffee	Colombia**, Cote d'Ivoire***, Dominican Republic**, Guatemala**, Guinea**, Honduras**, Kenya**, Mexico**, Nicaragua**, Panama**, Tanzania**, Uganda**
Cotton	Burkina Faso***, Argentina**, Azerbaijan**, Benin***, Brazil**, Egypt**, Kazakhstan***, Kyrgyz Republic**, Pakistan*, Paraguay**, Tajikistan***, Turkey**, Turkmenistan***, Uzbekistan***
Footwear	Bangladesh**, Brazil**, Indonesia**
Garments	Argentina***, Jordan*, Malaysia*, Thailand***

Granite/Gravel	Nigeria***, Sierra Leone**, Benin**, Guatemala**, Nicaragua**
Gold	Bolivia**, Burkina Faso***, Colombia**, D.R. Congo**, Ecuador**, Ghana**, Guinea**, Indonesia**, Mali**, Mongolia**, Nicaragua**, Niger**, Peru***, Philippines**, Senegal**, Tanzania**,
Minerals	D.R. Congo (Cobalt, Coltan - Tantalum, Copper, Diamonds )**, Liberia (diamonds)**, Sierra Leone (diamonds)***, Colombia (emeralds)**, Mongolia (fluorspar)**, Tanzania (Tanzanite)**, Niger (Trona)**
Rice	Brazil**, Dominican Republic**, Kenya**, Mali***, Philippines**, Uganda**
Rubber	Cambodia**, Liberia**, Philippines**
Seafood	Lobsters (Honduras)**, Fish (Tanzania and Ghana)**, Shrimp (Bangladesh**, Cambodia**, Thailand***), Shellfish (Nicaragua**)
Sisal	Brazil**, Kenya**, Tanzania**
Sugarcane	Belize**, Bolivia***, Brazil*, Colombia**, Dominican Republic***, Guatemala**, Kenya**, Mexico**, Pakistan*, Panama**, Philippines**, Thailand**, Uganda**
Tea	Kenya**, Malawi**, Tanzania**, Uganda**
Tobacco	Argentina**, Brazil**, Indonesia**, Kazakhstan***, Kenya**, Kyrgyz Republic**, Lebanon**, Malawi***, Mexico**, Nicaragua**, Philippines**, Tanzania**, Uganda**

Adapted from: U.S. Department of Labor, "List of Goods Produced by Child Labor or Forced Labor," 2012, <http://www.dol.gov/ilab/programs/ocft/2012TVPRP.pdf>.