

ST.GALLEN SYMPOSIUM

Global Essay Competition 2023

Slavery came with a price and will end with a price

Abstract

The essay examines the imprints of slavery around the globe, taking a closer look at Indian society. A practice that started centuries ago still has the world under its claws. Although the world experienced major trade of slaves in the 16th century when Africans were sent to America as slaves to work on farms through the transatlantic slave trade, the seeds of slavery were sowed in India in the 8th century with Islamic invasions which were then watered by British colonizers to exploit the Indians. Over time, it got a fancy name- 'Modern Slavery' which includes many new forms of bondage, like child labour, debt bondage, human trafficking, involuntary servitude, sexual slavery, forced organ harvesting, forced marriage, forced surrogacy, and forced begging. The International Labour Organization (ILO) in its Global Estimates of Modern Slavery Report 2021 indicates that there are 49.6 million people in the world are victims of modern slavery on any given day, out of which forced labour accounts for 27.6 million and forced marriage for 22 million. Some common indicators of modern slavery include people who are not free to leave their jobs, are not paid sufficiently for their work, are subject to physical or emotional abuse or threats, are forced to work long hours or in dangerous conditions, or are subject to debt bondage. The essay then discusses different ways in which slavery can be eliminated from the global society, by keeping a hyperopic view where instead of keeping a narrow approach towards the causes of slavery, we shall focus on root causes that lead to the need for bonded labour. Considering several instances, it has been observed that the supply chains of secondary sector organizations are most vulnerable to the use of forced labour. Slavery in the global supply chains, that are the prey of unfair recruitments, can be called an interplay of three critical dimensions: (a) gaps in statutory legislation, enforcement, and access to justice that create space for non-compliance, (b) socio-economic pressures facing individuals and workers, and (c) business conduct and business environment. In order to close the loopholes in legislation, the government of different countries need to put efforts in order to convert international standards concerning slavery into national legislation. ILO Worst Forms of Child Labour Convention, 1999 and Minimum Age Convention, 1973 cover the rights of almost all children in the world for child labour by international standards. Socioeconomic factors like poverty, absence of proper infrastructure, violence, societal norms, gender and other forms of discrimination also force vulnerable groups to migrate and fall into the trap of unfree labour. Government shall ensure to eliminate the root cause of bonded labour, instead of directly targeting bondage if we want long-term sustainable results. To eliminate forced labour by business conducts, private enterprises can collaborate with government entities to work for monitoring systems and protection networks that can mobilize the resources and obtain information to axe the root of the tree of slavery.

Introduction

When Israel was in Egypt's land,
Let my people go,
Oppress'd so hard they could not stand
Let my people go

Go down, Moses,
Way down in Egypt's Land
Tell o' Pharaoh,
Let my people go.

This verse is from the biblical story “Go Down Moses”^{1, 2} which like other slave songs depicts the plan to escape from slavery. Harriet Tubman was a runaway slave whose code name was “Moses” and she later helped hundreds of fellow slaves to escape from slavery. Here, God commands Moses to go down to Egypt, and demand the release of Israelites from the bondage of enslavers- Pharaoh.^{3, 4} Similarly, many Hindu texts like Mahabharata, Gita, Vedas, and Upanishad; and Islamic texts like Quran and Hadith also condemn bondage.

Slavery refers to a practice that involves ownership of and control over a human, called a slave, by another human(s), called master(s) for labour or economic gains. Evidence of slavery could be traced back 11,000 years due to the Neolithic Revolution that involved widespread agricultural practices. Yemen, a country in western Asia had an institutionalised slave market in the 13th century where African men were enslaved as servants, soldiers, or farm workers. Women from China, India, and Java were kept as concubines (sex slaves) by rich men.⁵ Although worldwide abolition of slavery began in the 17th century, yet the centuries-old pattern of hereditary servitude and traditional slavery is still practised in Africa and other parts of the world.

Way back in the 16th century, people from Africa were brought to America as slaves to work on farms growing tobacco, sugar, and cotton through the transatlantic slave trade. Back then, slavery was legal in the United States and even protected by the Constitution. As per a law passed in 1793, helping a slave escape was considered against the law. It was in 1865 when slavery was made illegal in America through the 13th Amendment to the Constitution. Even though slavery was over, African Americans still faced a lot of discrimination and racism for many years after that. Similarly, in other parts of the world like Greece, Rome, and India, the legacy of slavery continued to affect the lives of people in these regions.

Legacy of slavery in India

We see slavery as a legacy because several Indian ancient texts mention slaves and their treatment. Indian history has numerous examples of hereditary servitude, voluntary and involuntary. *Underadsatva, ahitaka, kapyari, kalpikara, ahrtaka, and vikritaka* are some of the names given to bondmen, as mentioned in ancient Indian texts and Buddhist texts, who were enslaved for several reasons, including as mortgage against a debt.⁶

Islamic invasions reintroduced slavery in India in the 8th century where Hindus were enslaved to be used in armies for conquest and were exported to Central Asia and West Asia as slaves. This predominant social institution of slavery was continued by British colonizers as part of the Indian Ocean slave trade where Indians were transported to several European colonies to labour on plantations and mines.⁶ This bondage has impacted individuals, communities, and societies both in the past and in the present in the form of economic disparities, racial tensions, and cultural influences. Slavery was officially abolished by colonizers in India in 1843, but its forms were often hidden and operated in industries such as agriculture, manufacturing, domestic work, etc.

¹ <https://mechon-mamre.org/p/pt/pt0205.htm#1>

² <https://www.loc.gov/item/ihas.200197495/>

³ Newman, R. S. (1998). *Go Down Moses: A Celebration of the African-American Spiritual*. Clarkson N. Potter.

⁴ <https://thewire.in/the-arts/jubilee-slave-songs-america>

⁵ https://en.wikipedia.org/wiki/History_of_slavery#:~:text=Evidence%20of%20slavery%20predates%20written,t hat%20made%20mass%20slavery%20viable.

⁶ https://en.wikipedia.org/wiki/Slavery_in_India#:~:text=Slavery%20in%20India%20continued%20throu gh,the%20Indian%20Ocean%20slave%20trade.

Modern Slavery

Modern slavery refers to situations of exploitation in which a person cannot refuse or leave because of threats, violence, coercion, deception, or abuse of power.⁷ Involuntary domestic work, bonded labour, child labour, forced marriage, sexual slavery, forced organ harvesting, forced surrogacy, and forced begging are some new forms of exploitation. The International Labour Organization (ILO) in its Global Estimates of Modern Slavery Report 2021 indicates that there are 49.6 million people in the world who are victims of modern slavery on any given day, out of which forced labour accounts for 27.6 million and forced marriage for 22 million.⁸

India is a developing country, where agriculture is the primary source of livelihood for 58 percent Indian population.⁹ Primary sectors like agriculture, brick kilns, and mines, and secondary sector industries like construction, textile, carpet/rugs, and shoe manufacturing have a large number of forced labourers. According to the 2018 Global Slavery Index, 40.3 million people were enslaved worldwide in 2016. India accounted for almost 8 million i.e., 20 percent of slaves, making it the largest contributor to modern slavery.¹⁰ With Bonded Labour (Prohibition) Act, 1976 and the International Covenant on Civil and Political Rights (concerning slavery and servitude), incidents of child slavery have been brought to notice and granite quarries are identified as a major area involving child slavery, bonded labour and debt bondage in India.^{11, 12}

In 2016, brick kilns in the state of Tamil Nadu made headlines across India as more than 300 bonded labours were rescued who were found to have been working in inhumane conditions. The workers, mostly from the Dalit community, were forced to work to pay off their debt, were paid very little for their labour, and were not allowed to leave the kiln.^{13, 14} In 2019, a case of forced labour in the state of Gujarat came to light when more than 40 workers, including children, were rescued from a factory that produced firecrackers. In 2021, more than 100 workers, mostly from the state of Odisha, were found to have been forced to work in a granite quarry in the state of Telangana. Such instances prove that modern slavery has different 'homes' and different 'faces' in India too.

How society justifies slavery

'Walk Free' is an international human rights group focused on the eradication of modern slavery, in all forms. As per 'Walk Free', ongoing conflict, political instability, and forced displacement are key drivers of modern slavery. Transformations in the world of work due to technological changes, climate change, and migration increases the vulnerability of people who can be exploited by others. Racial minorities, indigenous people, women and children, low-income and migrant communities, and people with disabilities are more at risk of being exploited.¹⁵

⁷ <https://www.walkfree.org/what-is-modern-slavery/>

⁸ https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipec/documents/publication/wcms_854733.pdf

⁹ <https://www.ibef.org/industry/agriculture-india#:~:text=India%20is%20one%20of%20the,about%2058%25%20of%20India's%20population.>

¹⁰ <https://www.globalslaveryindex.org/2018/findings/country-studies/india/>

¹¹ <http://www.indianet.nl/pb150511e.html>

¹² https://en.wikipedia.org/wiki/Slavery_in_India#cite_note-120

¹³ <https://www.ndtv.com/tamil-nadu-news/tamil-nadu-police-rescues-563-people-from-a-brick-kiln-1283628>

¹⁴ <https://indianexpress.com/article/india/india-news-india/tamil-nadu-328-bonded-labourers-including-100-children-rescued-from-brick-kiln-2825613/#:~:text=A%20raid%20by%20authorities%20rescued,of%20Rs%2020%2C%20officials%20s aid.>

¹⁵ <https://www.walkfree.org/what-is-modern-slavery/>

But the larger society never feels that they are exploiting a disadvantaged section of the society as they justify slavery as a practice that has been perpetuated in a variety of ways throughout history. Racism is the foremost reason on basis of which slavery has often been justified with the belief that certain ethnic groups are inferior and thus can be enslaved. Capitalism promotes the belief that slavery is necessary for economic growth and development for which they leverage religious justification and Social Darwinism on the grounds that certain religious texts sanction that enslaved people have a moral duty to serve their masters and certain groups of people are biologically (women and children) or culturally inferior, hence, suitable for enslavement. No rights are given to the slaves as according to colonialism, enslaved people are subjects of colonial power and therefore considered as private property which is not subject to any individual rights.

Chopping the tree of slavery

To effectively fell a tree, an axe shall strike its roots. And hence, we shall understand why slavery is needed in any system. Most of the forced labour is seen in the supply chain of the secondary sector. The supply chain of most secondary sector organizations is vulnerable to the use of forced labour. The responsibility to eradicate slavery can easily be divided if the companies perform due diligence to maintain the legal standards in their supply chain.

Since the analysis of the involvement of forced labour in different industries in different countries is more challenging, OECD has tracked the data for child labour in global supply chains. Sub-Saharan Africa, Eastern and South-Eastern Asia, Central, and Southern Asia, Northern Africa and Western Asia, and Latin America and the Caribbean are some regions that witness direct child labour in agriculture, wholesale and retail, transport and storage, textiles and apparel, mining and energy and indirect contribution in basic metals, wood, ICT and electronics, chemicals, food products, and motor vehicle industries in addition to the previously mentioned ones.^{16, 17}

The three critical dimensions that influence the dynamics of global supply chains are (a) loopholes in statutory regulation, enforcement mechanisms, and availability of judicial remedies (b) the economic and social stresses experienced by labourers, and (c) the practices and conditions of business operations. From this, we need to look at slavery as a structural phenomenon that requires comprehensive policy responses. Solely focusing on removing child labour, forced labour, and human trafficking is not the solution as will just displace the abuse from the global supply chain to other sectors that are not linked to the supply chain. Hence, we need to focus on filling the common set of legal gaps, addressing socio-economic pressures and enhancing business conduct in order to keep a close check on unfree labour.¹⁸

The first dimension inclines towards the responsibility of the legislative arm of the government to protect workers within their jurisdiction by designing, establishing and enforcing a framework for responsible business conduct. The loophole that exists in many national laws is a lack of precision and clarity in terms of how the law defines different forms of slavery. This hampers the trial process of judicial bodies and many cases in which human rights are violated are then safeguarded by moulding the language of the law. ILO Worst Forms of Child Labour Convention, 1999 and Minimum Age Convention, 1973 cover the rights of almost all children in the world by international standards.¹⁸ The government of countries need to put efforts in order to convert these standards into national legislation.

¹⁶ https://unstats.un.org/unsd/publication/seriesM/seriesm_4rev4e.pdf

¹⁷ <https://www.oecd.org/sti/ind/measuring-trade-in-value-added.htm>

¹⁸ <https://mneguidelines.oecd.org/Ending-child-labour-forced-labour-and-human-trafficking-in-global-supply-chains.pdf>

The key indicators of forced labour like debt bondage and deception can be identified in the early stages of recruitment. Debt bondage as a prohibitive recruitment fee and cost to access employment, and deception in terms and conditions of their employment are early indicators of forced labour which can be addressed by the government and private enterprises together to develop fair recruitment systems.¹⁹

Socio-economic factors like poverty, absence of proper infrastructure, violence, societal norms, gender and other forms of discrimination also force vulnerable groups to migrate and fall into the trap of unfree labour. Restrictions on exercising their freedom to express themselves and lack of social safety provisions make it even more difficult for the trapped people to move out of their prison. Such families are more prone to push their children also into the same conditions in order to earn more and get rid of bonded labour, which remains like a dream for them. There exists extensive evidence of a negative relationship between education and the working of children. Educating the deprived section of society will help in eradicating poverty, gradually, but surely. Due to low levels of education, labourers lack the bargaining power and skills needed for securing a job in the formal economy. Another important factor is the lack of childcare facilities. Mothers, who participate in the labour force, generally ask an elder female sibling to take care of the younger one which prevents them from attending school or taking their children to the workplace, bringing their work to their home which results in the child's early exposure and frequent involvement in the work. Government shall ensure to eliminate the root cause of bonded labour in order to ensure a slave-free economy.

As the world shrinks with the global supply chain, most of the lower-segment outsourced work is undertaken by the informal sector of the economy which limits transparency and traceability. Therefore, it is difficult for businesses to identify, trace and take action against the contractors that use forced labour in the supply chain.²⁰ Hence, awareness and capacity building are critical for all companies across the supply chain.

The ripple effect of price-cost pressure leads suppliers to lower their labour costs which increases the risk of unfair recruitment. To combat this problem, companies shall train their labour inspection team to focus more on strategic compliance rather than traditional labour law enforcement.¹⁸ By using different tools and tactics, inspectors can identify symptoms of forced labour and then work to develop plans that remove the root cause. Private enterprises can collaborate with government entities to work for monitoring systems and protection networks that can mobilize the resources and obtain information to axe the root of the tree of slavery.

¹⁹ <https://respect.international/wp-content/uploads/2022/11/Eradicating-Forced-Labour-What-Works-in-Practice-Full-Report.pdf>

²⁰ <https://mneguidelines.oecd.org/Ending-child-labour-forced-labour-and-human-trafficking-in-global-supply-chains.pdf>

Reference List / Sources:

- ¹ <https://mechon-mamre.org/p/pt/pt0205.htm#1>
- ² <https://www.loc.gov/item/ihas.200197495/>
- ³ Newman, R. S. (1998). Go Down Moses: A Celebration of the African-American Spiritual. Clarkson N. Potter.
- ⁴ <https://thewire.in/the-arts/jubilee-slave-songs-america>
- ⁵ https://en.wikipedia.org/wiki/History_of_slavery#:~:text=Evidence%20of%20slavery%20predates%20written,t hat%20made%20mass%20slavery%20viable.
- ⁶ https://en.wikipedia.org/wiki/Slavery_in_India#:~:text=Slavery%20in%20India%20continued%20throu gh,the%20Indian%20Ocean%20slave%20trade.
- ⁷ <https://www.walkfree.org/what-is-modern-slavery/>
- ⁸ https://www.ilo.org/wcmsp5/groups/public/---ed_norm/--- ipec/documents/publication/wcms_854733.pdf
- ⁹ <https://www.ibef.org/industry/agriculture-india#:~:text=India%20is%20one%20of%20the.about%2058%25%20of%20India's%20population.>
- ¹⁰ <https://www.globallslaveryindex.org/2018/findings/country-studies/india/>
- ¹¹ <http://www.indianet.nl/pb150511e.html>
- ¹² https://en.wikipedia.org/wiki/Slavery_in_India#cite_note-120
- ¹³ <https://www.ndtv.com/tamil-nadu-news/tamil-nadu-police-rescues-563-people-from-a-brick-kiln-1283628>
- ¹⁴ <https://indianexpress.com/article/india/india-news-india/tamil-nadu-328-bonded-labourers-including-100-children-rescued-from-brick-kiln-2825613/#:~:text=A%20raid%20by%20authorities%20rescued,of%20Rs%2020%2C%20officials%20s aid.>
- ¹⁵ <https://www.walkfree.org/what-is-modern-slavery/>
- ¹⁶ https://unstats.un.org/unsd/publication/seriesM/seriesm_4rev4e.pdf
- ¹⁷ <https://www.oecd.org/sti/ind/measuring-trade-in-value-added.htm>
- ¹⁸ <https://mneguidelines.oecd.org/Ending-child-labour-forced-labour-and-human-trafficking-in-global-supply-chains.pdf>
- ¹⁹ <https://respect.international/wp-content/uploads/2022/11/Eradicating-Forced-Labour-What-Works-in-Practice-Full-Report.pdf>
- ²⁰ <https://mneguidelines.oecd.org/Ending-child-labour-forced-labour-and-human-trafficking-in-global-supply-chains.pdf>
<https://cdn.walkfree.org/content/uploads/2020/10/12034833/Walk-Free-Eradicating-Modern-Slavery.pdf>
<https://economictimes.indiatimes.com/news/politics-and-nation/india-ranks-fourth-in-global-slavery-survey/articleshow/52528778.cms>
https://opendocs.ids.ac.uk/opendocs/bitstream/handle/20.500.12413/15581/855_Modern_Slavery.pdf?sequence=1
<https://www.walkfree.org/reports/eradicating-modern-slavery/>
https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2019/india.pdf

Word Count (essay text only): (2080/2100)