

The Politics of Slavery and Human Trafficking, 2015 (POLS4046 and POLS7051)

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Course Outline

Course Overview: Seminar Titles

1. Slavery as World History
2. Transatlantic Slavery: Linking Africa and the Americas
3. Transatlantic Slavery: Slavery in the Americas
4. The Legal Abolition of Slavery in the Americas
5. The Legal Abolition of Slavery in Africa
6. Defining Slavery in All its Forms: Linking the Historical and Contemporary
7. Human Trafficking and its Critics
8. Human Trafficking and its Critics: The South African Case
9. 'Classical' Slavery and Descent Based Discrimination in West Africa
10. Wartime Enslavement in Africa: Sexual Slavery, Forced Marriage, and Slave Redemption
11. The 'Afterlife' of Slavery: Racism, Segregation and the 'New Jim Crow'
12. Memories, Legacies and Representations of Slavery
13. Reparations for Slavery and its Legacies.

Seminar One: Thursday 23th of July

Slavery as World History

Slavery and enslavement have been recurring themes throughout human history, having been practiced by most peoples at most times over the course of thousands of years. This historical pedigree raises many challenging questions. If slavery represents a straightforward crime against humanity, as current legal and moral opinion maintains, why was it sanctioned by all major civilizations and religions for such an extended period? On what grounds can we connect modern individuals and organizations to the history and legacies of various past injustices? Similar challenges also extend to anti-slavery activism, which has been widely celebrated as a major watershed in the history of human rights. In this context, organised anti-slavery has been approached as both a strategic template (which offers a tactical model for more recent campaigns), and as an historical inspiration (which effectively demonstrates the potential of modern human rights activism). It is also clear, however, that many aspects of the history of slavery offer little or no cause for celebration.

Essential Readings

Frederick Douglass, *Narrative of the Life of Frederick Douglass, an American Slave Written by Himself* (Cambridge, Mass: Harvard University Press, 2009), pp. 1-27, 100-114.

Orlando Patterson, *Slavery and Social Death: A Comparative Study*, (Cambridge, Mass: Harvard University Press, 1982), pp. 1-14.

Edward Baptist, *The Half Has Never Been Told: Slavery and the Making of American Capitalism* (New York: Basic Books, 2014), pp. xiii-xxvii.

Questions

- What do slave narratives, such as the celebrated work of Frederick Douglass, tell us about lived experiences of enslavement?
- What types of burdens and afflictions have slaves historically endured?
- If slavery is such an 'obvious' crime against humanity, why can it be found in most times and places throughout human history?
- What distinguishes slavery from other forms of exploitation and human bondage?
- What do different historical slave systems share in common? In what ways can they be said to be different?
- What does it mean to talk in terms of slavery and social death?
- What does enslavement – the process of acquiring slave status – involve both sociologically and psychologically?
- How have dynamics of Self and Other, or insider and outsider, shaped historical patterns of enslavement?
- How should we conceptualise and classify various forms of resistance to slavery?

Further Readings

David Eltis and Stanley Engerman (eds.), *The Cambridge World History of Slavery*, (Cambridge: Cambridge University Press, 2011).

Seymour Drescher and Stanley L. Engerman (eds.) *A Historical Guide to World Slavery*, (Oxford: Oxford University Press, 1998).

David Davis, *Slavery and Human Progress*, (Oxford: Oxford University Press, 1984).

Gwyn Campbell (ed.), *The Structure of Slavery in Indian Ocean Africa and Asia*, (London: Frank Cass, 2004).

Joel Quirk, *Unfinished Business: A Comparative Survey of Historical and Contemporary Slavery*, (Paris: UNESCO Publishing, 2009), pp. 23-50.

Joseph Miller, *The Problem of Slavery as History: A Global Approach*, (New Haven: Yale University Press, 2012).

Moses Finley, *Ancient Slavery and Modern Ideology*, (London: Chatto & Windus, 1980).

William Gervase Clarence-Smith, *Islam and the Abolition of Slavery*, (Oxford: Oxford University Press, 2006).

Gad Heuman and James Walvin (eds.), *The Slavery Reader*, (London: Routledge, 2003).

Seminar Two: Thursday 30th of July

Transatlantic Slavery: Linking Africa and the Americas

Over the course of three and a half centuries, around twelve and a half million slaves are estimated to have embarked from Africa to the Americas via the infamous Middle Passage. This brutal trade supplied European settlers with the labour they desperately needed to develop conquered territories in the Caribbean, Brazil, Latin America, and north America. Commercial considerations dominated this complex network, with Europe's insatiable demand for sugar proving to be the main catalyst for a gradual expansion of slave plantations in the New World. When indentured Europeans and enslaved 'Indians' proved inadequate, the planters and miners in the Americas turned to Western Africa, where elites provided European traders with slaves who had been captured, conquered or condemned in exchange for currency and commodities such as weaponry and textiles.

The history of slavery in Africa long predated European contact in the fifteenth and sixteenth centuries. While slave systems in Africa were organized on quite different terms to the more familiar plantation slavery of the colonial Americas, there were nonetheless sufficient similarities in the property rights associated with different systems to facilitate extensive cross-cultural slave trading. One of the main ingredients of slavery in Africa (and elsewhere) during the early modern era was natal alienation, which refers to status of slaves as 'kinless' outsiders, whose lack of socially recognized kinship ties placed them at the bottom of the prevailing hierarchy. Being 'socially dead', slaves – or at least recently acquired slaves – tended to be extremely vulnerable, and were consequentially routinely exploited and abused. While labour exploitation was ubiquitous, slaves were also forced into service as soldiers, sacrifices, functionaries, concubines and junior wives. In many cases, female slaves and children were especially prized, with the former being valued for both their productive and reproductive capacity, and the latter being valued as being more amenable to socialization and control. As this seminar will explore, European demand for slaves resulted in a series of complex transformations which linked together Africa, Europe, and the colonial Americas.

Essential Readings

Phillip Morgan, 'Africa and the Atlantic, c. 1450-1820,' in Jack Greene and Phillip Morgan (eds.), *Atlantic History: A Critical Appraisal*, (Oxford: Oxford University Press, 2009), pp. 223-248.

Stephanie Smallwood, *Saltwater Slavery: A Middle Passage from Africa to American Diaspora*, (Cambridge, Mass: Harvard University Press, 2007), pp. 33-64.

Linda Heywood and John Thornton, *Central Africans, Atlantic Creoles, and the Foundations of the Americas, 1585-1660*, (Cambridge: Cambridge University Press, 2007), pp. 49-108.

Questions

- To what extent can we speak in terms of 'African' and 'European' during the era of the transatlantic slave trade? What other forms of identity and community are relevant here?
- Why were Europeans able to conquer the Americas, yet unable to make much headway in Africa prior to the second half of the nineteenth century?
- What impact did rising European demand for slaves have upon political, economic and social life in Western Africa?

- Since most slaves were traded with Europeans on the coast, but were enslaved within the interior, what role did intermediaries and hinterlands play in shaping trading relationships?
- What role did political authorities in Africa play in facilitating and regulating slave trading? To what extent were Europeans able to impose their preferred models and outcomes?
- What types of economic and political benefits accrued to rulers and other elites involved in slave trading in Europe, the Americas, and Africa?
- Since slave trading requires slave raiding in order to acquire new slaves, what impact did rising demand for slaves have upon patterns of organized violence in Africa?
- What role did gender play in shaping trading relationships both within and beyond Africa?

Further Readings

Toby Green, *The Rise of the Trans-Atlantic slave trade in Western Africa, 1300-1589*, (New York: Cambridge University Press, 2012).

Alice Bellagamba, Sandra E. Greene, Martin A. Klein (eds.) *African voices on slavery and the slave trade*, (Cambridge: Cambridge University Press, 2013).

Mariana Candido, *An African slaving port and the Atlantic world: Benguela and its Hinterland* (Cambridge: Cambridge University Press, 2013).

David Eltis and David Richardson, *Atlas of the Transatlantic Slave Trade*, (New Haven: Yale University Press, 2010).

Bernard Bailyn, *Atlantic History: Concepts and Contours*, (Cambridge, Mass: Harvard University Press, 2005),

Joseph Miller, *Way of Death: Merchant Capitalism and the Angolan Slave Trade, 1730-1830* (Madison: University of Wisconsin Press, 1988)

Walter Hawthorn, *From Africa to Brazil: Culture, Identity, and an Atlantic Slave Trade, 1600-1830*, (Cambridge: Cambridge University Press, 2010).

Robert Harms, *River of Wealth, River of Sorrow: The Central Zaire Basin in the Era of the Slave and Ivory Trade, 1500-1891*, (New Haven: Yale University Press, 1981)

John Thornton, *Africa and Africans in the Making of the Atlantic World, 1400-1800*, 2nd edition, (Cambridge: Cambridge University Press, 1998).

Walter Rodney, *How Europe Underdeveloped Africa*, (Washington: Howard University Press, 1982).

David Northrup, *Africa's Discovery of Europe, 1440-1850*, (Oxford: Oxford University Press, 2002).

David Eltis and David Richardson, *Extending the Frontiers: Essays on the New Transatlantic Slave Trade Database*, (New Haven: Yale University Press, 2008).

Henri Médard and Shane Doyle (eds.), *Slavery in the Great Lakes Region of East Africa*, (Oxford: James Currey, 2007).

Joel Quirk and David Richardson, 'Europeans, Africans and the Atlantic World, 1450-1850', in Joel Quirk, Shogo Suzuki, and Yongjin Zhang (eds.), *International Orders in the Early Modern World: Before the Rise of the West*, (London: Routledge, 2014), pp. 138-158.

Seminar Three: Thursday 6th of August

Transatlantic Slavery: Slavery in the Americas

It is difficult to overstate the contribution of African slaves to the colonization of the Americas. For European settlements to flourish (beyond initial gains from plundering indigenous peoples), they needed to develop market orientated goods. The main avenues were mining, agriculture, and hunting/rearing animals. Of particular importance here was the growth of sugar plantations, which served as the main catalyst for rising demand for slaves from the mid-seventeenth century onwards. Sugar has been characterised as the 'greatest of the slave crops'. It has been calculated that '[b]etween 60 and 70 percent of all the Africans who survived the Atlantic voyages ended up in one or another of Europe's sugar colonies', where the plantation dominated economic and social life.

The most onerous feature of slave plantations in the Americas was the gang labour system, which demanded arduous exertion from dawn to dusk according to relentless production cycles, backed by the 'discipline' of the whip and other cruel punishments. The gang system was chiefly associated with sugar plantations, but also extended to crops such as rice, coffee, cotton and, to a lesser extent, tobacco. Sugar cultivation not only required backbreaking repetitive labour, it also required immediate processing once cut, resulting in a further series of dangerous and demanding tasks. While gangs of slaves were usually divided in terms of capability, with young adult males grouped together, heavy burdens would be placed upon all ages and sexes. Another prominent feature of the slave plantation was its distinctive social and ideological order, which saw a minority of privileged Europeans based in the 'Big House', surrounded by large numbers of enslaved servants.

Slaves in the Americas should not be regarded as passive victims, but as active agents who have consistently sought to challenge their predicament using many different strategies. These strategies can be dissected in a number of ways. On the one hand, we have overt acts of resistance, such as rebellion, flight and even suicide, which revolve around slaves seeking to escape their slave status entirely. These challenges have often been a double-edged sword, with slaves not only bravely seeking a greater measure of freedom, but also seeking to inflict serious injuries upon their masters. On the other hand, we also have more subtle forms of 'day-to-day resistance', which revolve around slaves seeking to advance their fortunes while still enslaved. In this context, slaves can be seen as active – albeit severely disadvantaged – participants in a constant process of negotiation and contestation over their terms of service, personal relationships, and social and economic role.

Essential Readings

Vincent Brown, *The Reapers Garden: Death and Power in the World of Atlantic Slavery*, (Cambridge, (Mass: Harvard University Press, 2008), pp. 13-59.

Simon Newman, *A New World of Labour: The Development of Plantation Slavery in the British Atlantic*, (Philadelphia: Pennsylvania University Press, 2013), pp. 216-242.

James Sidbury, 'Resistance to Slavery', in Gad Heuman and Trevor Burnard (eds.), *The Routledge History of Slavery*, (London: Routledge, 2011), pp. 204-217.

Questions

- What types of factors shaped relationships between masters and slaves in the Americas?
- Why types of economic calculations were central to the creation and subsequent evolution of plantation life in the Americas?
- How significant were ideologies of racial difference in shaping the historical evolution of slavery in the Americas?
- What features did different slave systems in the Americas share in common? In what ways were they different, say between the United States and Brazil?
- In what ways and to what extent did slave resistance, either overt or 'day-to-day', complicate life for slave owners and colonial society?
- What types of family structures and cultural practices emerged under the shadow of slavery?
- What does it mean to talk in terms of 'becoming African in the Americas'? What types of experiences and orientations distinguish Africans in the Americas from Africans in Africa?

Further Reading

Ira Berlin, *Many Thousands Gone: The First Two Centuries of Slavery in North America*, (Cambridge, Mass: Harvard University Press, 1998).

Linda M. Heywood (ed.), *Central Africans and Cultural Transformations in the American Diaspora*, (Cambridge: Cambridge University Press, 2002).

Eugene Genovese, *Roll, Jordan, Roll: The World the Slaves Made*, (New York: Pantheon, 1974).

Elizabeth Fox-Genovese and Eugene Genovese, *The Mind of the Master Class: History And Faith in the Southern Slaveholders' Worldview*, (Cambridge: Cambridge University Press, 2005).

Robert Fogel, *Without Consent or Contract: The Rise And Fall Of American Slavery*, (New York: W.W. Norton, 1989).

James Sidbury, *Becoming African in America: Race and Nation in the Early Black Atlantic*, (Oxford: Oxford University Press, 2007).

Robin Blackburn, *The Making of New World Slavery: From the Baroque to the Modern, 1492-1800*, (London: Verso, 1997).

Michael Gomez, *Reversing Sail : A History of the African Diaspora*, (Cambridge: Cambridge University Press, 2005).

Kenneth Morgan, *Slavery and the British empire : from Africa to America*, (Oxford: Oxford University Press, 2007).

Seminar Four: Thursday 13th of August

The Legal Abolition of Slavery in the Americas

The legal abolition of slavery constitutes a profound break with thousands of years of historical precedent, with a 'natural', venerable and often highly profitable institution being formally abolished throughout the globe over the course of two and a half centuries. Throughout the history of slavery, there have been consistent objections to the enslavement of the 'wrong' types of people (i.e. untarnished social insiders), but there appear to have been few – if any – politically significant challenges to slavery as a *general institution* until the eighteenth century. The emergence of organized anti-slavery not only required a determination that the end of slavery was morally desirable. All historical societies have recognized that slavery was frequently an exceptionally loathsome institution. It also required a political determination that ending slavery was actually feasible, and not simply a utopian proposition which could be left to moral philosophers and theologians. Until this critical juncture was reached, reformers primarily concentrated their energies upon regulation, mitigation, salvation and/or manumission, rather than general abolition.

The pioneers of organized anti-slavery faced daunting political obstacles, and undoubtedly deserve tremendous respect. It is important, however, not to exclusively concentrate upon political activism in Britain and the United States. These cases are the exception, not the rule. On this essential point, it is possible to identify three main paths to legal abolition. The first path revolves around popular mobilization, with anti-slavery activists building a broad based coalition using petitions, publications, public meetings and other forms of agitation. In this model, which is epitomized by Britain but also imperfectly applies to the northern United States, France and Brazil, a popular commitment to anti-slavery crystallized *prior* to anti-slavery legislation. The second path revolves around violent conflict. In this model, which is epitomized by the southern United States and Haiti but also imperfectly applies to Cuba and parts of Latin America, abolition was bound up in major wars and slave resistance. The third – and most common – path revolves around collective honour, 'civilized' status and external pressures. In this model, which applies to Portugal, Spain, and many other states, the passage of anti-slavery laws was not driven by popular agitation, but can instead be chiefly traced to strategic responses and reluctant concessions by political elites to cumulative external influences.

Essential Readings

David Davis, *Inhuman Bondage: The Rise and Fall of Slavery in the New World*, (Oxford: Oxford University Press, 2006), pp. 157-174.

Seymour Drescher, *Abolition: A History of Slavery and Antislavery* (Cambridge: Cambridge University Press, 2009), pp. 205-241.

Gregory Downs, *After Appomattox: Military Occupation and the Ends of War*, (Cambridge, Mass: Harvard University Press, 2015), pp. 1-10.

Questions

- What is the difference between narrowly opposing the enslavement of specific types of people, and broadly opposing slavery as a general category or institution?
- To what extent can the legal abolition of slavery in the Americas be explained in terms of economic and political interests? Is it naïve to talk in terms of morality or ethics?

- What types of factors account for the popular appeal of anti-slavery ideas in places such as Britain and the United States? Why did similar sentiments not emerge in many other countries?
- What is the relationship between revolution and anti-slavery? How important were violent upheavals in places such as the United States, Haiti, France, and Latin America?
- To what extent was the legal abolition of slavery an extension of British hegemony?
- What was the relationship between the legal abolition of the transatlantic slave trade and the subsequent abolition of slavery in the Americas?
- By what terms should we judge the success or failure of legal abolition? For the slaves? For the masters? For economic growth?

Further Readings

Christopher Brown, *Moral Capital: Foundations of British Abolitionism*, (Chapel Hill: University of North Carolina Press, 2006).

Joel Quirk, *Unfinished Business: A Comparative Survey of Historical and Contemporary Slavery*, (Paris, UNESCO Publishing, 2009), pp. 73-81.

David Eltis, *Economic Growth and the Ending of the Transatlantic Slave Trade*, (Oxford: Oxford University Press, 1987).

C. L. R. James, *The Black Jacobins: Toussaint L'ouverture And The San Domingo Revolution*, (London: Allison & Busby, 1980).

Seymour Drescher, *Capitalism and Antislavery: British Mobilization In Comparative Perspective*, (Cambridge: Cambridge University Press, 1986).

Seymour Drescher, *Econocide: British Slavery in the Era of Abolition*, (Pittsburgh: University Of Pittsburgh Press, 1977).

Robin Blackburn, *The Overthrow Of Colonial Slavery 1776-1848*, (London: Verso, 1988).

Steven Hahn, *The Political Worlds of Slavery and Freedom*, (Cambridge, Mass: Harvard University Press, 2009).

Eric Williams, *Capitalism and Slavery*, (London: André Deutsch, 1964 [1944]).

Roger L. Ransom and Richard Sutch, *One Kind of Freedom: the Economic Consequences of Emancipation*, (Cambridge: Cambridge University Press, 2001 edition).

David Geggus, *Slavery, War And Revolution: The British Occupation Of Saint Domingue 1793-1798*, (Oxford: Oxford University Press, 1982).

Joel Quirk and David Richardson, 'Anti-slavery, European Identity and International Society: A Macro-historical Perspective', *Journal of Modern European History*, 7:1, 2009, pp.68-92.

Seminar Five: Thursday 20th of August

The Legal Abolition of Slavery in Africa

Four major trends have defined the history of slavery and abolition in sub-Saharan Africa over the last two centuries. The first trend is concerned with the impact of organized anti-slavery, which placed increasing pressure upon established slave systems and related trading networks in sub-Saharan Africa over the course of the nineteenth and early twentieth centuries. This trend initially impacted upon maritime slave trading, starting in Western Africa in the first half of the nineteenth century, and then later extending to maritime trading in East Africa and the Middle East. Following the colonial “Scramble” for Africa in the final third of the nineteenth century, anti-slavery pressures increasingly impinged upon the interior of the continent, with European conquerors taking action against overt slave trading and raiding, and then later and more reluctantly taking hesitant action in relation to established slave populations. The main focus throughout this period was legal slavery – notwithstanding periodic colonial labour scandals – so many forms of bondage regularly persisted in the aftermath of abolition.

The second trend is concerned with the consequences of an expansion of longstanding slave systems in many parts of sub-Saharan Africa in the nineteenth century. Many slave systems in Africa reached their greatest dimensions *after* the emergence of organized anti-slavery. This trend was in turn bound up in sustained patterns of violent conflict, most notably in the interior of much of West Africa and Central Africa, which resulted in millions of Africans being violently enslaved in the century that preceded colonization. This trend overlaps with a third parallel trend concerned with the staggered transition from slavery to forced labour for the state. Under colonial rule, European administrators throughout Africa took qualified action against the former while expanding the later, resulting in widespread death, dispossession, exploitation, and systematic abuse. While slavery in Africa peaked in the second half of the nineteenth century, the overall prevalence of bondage in Africa peaked in the first half of the twentieth century. Limiting the conversation to slavery conveys a false image of ‘progress’ under colonial rule which does not withstand scrutiny once other forms of bondage are taken into account.

The final trend is concerned with a gradual – but by no means uniform – decline in the overall prevalence of human bondage in sub-Saharan Africa from the mid-twentieth century onwards. Despite numerous reports on the rapid ‘growth’ of human trafficking, human bondage in sub-Saharan Africa is probably less prevalent now than it was in either the late nineteenth or early twentieth century, owing in large part to a general decrease in the prevalence of forced labour for the state. Some of the other developments which have contributed to this trend are rapid population growth, changing land/labour ratios, the cumulative influence of anti-slavery ideas and expectations (i.e. antislavery as modernity), and a related shift to other exploitative and insecure forms of ‘free labour’.

Essential Readings

Joel Quirk, *The Anti-Slavery Project: From the Slave Trade to Human Trafficking*, (Philadelphia: Pennsylvania University Press, 2011), pp. 82-110.

Benedetta Rossi, ‘Migration and Emancipation in West Africa's Labour History: The Missing Links’, *Slavery & Abolition*, 35:1, 2013, pp. 23-46

Questions

- What should we make of the close relationship between anti-slavery and European imperialism and colonialism?
- What types of social and ideological projects were associated with the transmission of 'Commerce, Christianity, and Civilization' in Africa? To what extent were these projects successful during both the pre-colonial and colonial eras?
- What were the primary motivations behind the legal abolition of slavery in Africa?
- Under what circumstances was anti-slavery rhetoric and/or policy an asset for European conquerors? Under what circumstances did it create complications and problems?
- What does it mean to talk in terms of a 'Slow Death' for slavery? In what ways did the legal abolition of slavery in Africa differ from earlier developments in the Americas?
- What should we make of the evolving relationship between slavery, marriage, concubinage, and pawnship?
- What types of justifications were offered for the expansion of forced labour under colonial rule in Africa? Can these justifications be even minimally reconciled with anti-slavery?
- What types of political and economic calculations impacted upon anti-slavery policies?
- How significant was the contribution of slaves and ex-slaves to the practical outcomes of colonial anti-slavery policies?

Further Reading

Susanne Miers and Richard Roberts, 'The End of Slavery in Africa', in Susanne Miers and Richard Roberts (eds.), *The End of Slavery in Africa*, (Madison: The University of Wisconsin Press, 1988), pp. 3-68.

Paul Lovejoy, *Transformations in Slavery: A History of Slavery in Africa*, (Cambridge: Cambridge University Press, 2nd edition, 2000).

Alice Bellagamba, Sandra E. Greene, Martin A. Klein (eds.) *African voices on slavery and the slave trade*, (Cambridge: Cambridge University Press, 2013).

Suzanne Miers, *Slavery in the Twentieth Century*, (Walnut Creek: Altamira Press, 2003).

Frederick Cooper, Thomas C. Holt and Rebecca J. Scott, *Beyond Slavery: Explorations of Race, Labor, and Citizenship in Postemancipation Societies*, (Chapel Hill: University of North Carolina Press, 2000).

Allen F. Isaacman and Barbara S. Isaacman, *Slavery and beyond: the making of men and Chikunda ethnic identities in the unstable world of south-central Africa, 1750-1920*, (Portsmouth: Heinemann, 2004).

Claire Roberston and Martin Klein, *Women and Slavery in Africa*, (Wisconsin: University of Wisconsin Press, 1988).

Paul Lovejoy and Toyin Falola (eds.), *Pawnship, Slavery and Colonialism in Africa*, (Trenton: Africa World Press, 2003).

Ghislaine Lydon, *On Trans-Saharan Trails: Islamic law, trade networks, and cross-cultural exchange in nineteenth-century Western Africa*, (Cambridge: Cambridge University Press, 2009).

Gwyn Campbell, *Abolition and its Aftermath in Indian Ocean Africa and Asia*, (London: Routledge, 2005).

Joel Quirk and Darshan Vigneswaran (eds.), *Slavery, Migration and Contemporary Bondage in Africa*, (Trenton: Africa World Press, 2013).

Sandra Greene, *West African Narratives of Slavery : Texts From Late Nineteenth- and Early Twentieth-Century Ghana*, (Bloomington : Indiana University Press, 2011).

Paul Lovejoy and Jan Hogendorn, *Slow Death for Slavery: The Course of Abolition in Northern Nigeria, 1897-1936*, (Cambridge: Cambridge University Press, 1993).

Emma Christopher, Cassandra Pybus, Marcus Rediker (eds.), *Many Middle Passages: Forced Migration And The Making Of The Modern World*, (Berkeley: University of California Press, 2007).

Seminar Six: Thursday 27th of August

Defining Slavery in All its Forms: Linking the Historical and Contemporary

Two main challenges need to be overcome in order to successfully define slavery. These are (i) formulating a general definition that reflects crucial differences in how slavery has been—and continues to be—practiced at different times and places; and (ii) developing a general definition that clearly distinguishes slavery from related forms of human bondage, such as serfdom or pawnship. Most efforts to address these challenges have revolved around the decisive contribution of individual ownership, violent dominion, property rights, and extreme exploitation. These themes have not only been reflected in key legal instruments, such as the 1926 Slavery Convention, they have also long dominated popular understandings of slavery, serving as a series of benchmarks against which various examples of bondage have tended to be conceptualized and classified. The most recent example of this dynamic concerns ongoing debate over the defining features of ‘contemporary forms of slavery’, such as human trafficking, bonded labour, wartime enslavement, and the severe abuse of migrant workers.

In order to decide where slavery begins and ends, modern human rights activists and other actors have returned to these key themes of ownership and exploitation in order to help to determine which types of cases and circumstances are sufficiently similar to historical slave systems that they deserve to be legitimately classified as instances of slavery. With slavery now ostensibly abolished across the globe, this has proved to be both an analytically difficult and politically contentious exercise. At an analytical level, the main problem has been determining what constitutes slavery in many illicit and irregular settings. In the absence of a formal legal signifier, it has proved difficult to formulate a series of criteria that can distinguish slave from non-slave in situations involving complex and often idiosyncratic variations in levels of consent, coercion, compensation, and working conditions. At a political level, the main problem has been a tendency to invoke slavery as a rhetorical device in order to prioritize many different causes, such as rape as ‘slavery’, or economic injustice as ‘slavery’. Taken to a logic conclusion, this rhetorical inflation reduces slavery to little more than a hollowed out placeholder that covers virtually any form of exploitation or abuse.

Essential Readings

Emma Thelwell, 'Factsheet: What is slavery?', *Africa Check*, 26th March 2014.

The *Bellagio-Harvard Guidelines on the Legal Parameters of Slavery*, <http://www.law.qub.ac.uk/schools/SchoolofLaw/Research/HumanRightsCentre/Resources/Bellagio-HarvardGuidelinesontheLegalParametersofSlavery/#d.en.286505>

Jean Allain, 'The Definition of Slavery in International Law', *Howard Law Journal*, 52, 2009, pp. 239-275.

Kevin Bales, *Ending Slavery: How We Free Today's Slaves*, (Berkeley: University of California Press, 2007), pp. 5-20.

Questions

- What do historical and contemporary definitions of slavery share in common? In what ways are they different?
- On what terms can we connect historical slave systems with contemporary forms of slavery? Is what is happening today 'new', or simply a modification of the 'old'?
- What policies and strategies are currently available to combat modern slavery? In what way do these strategies differ from those employed in the past?
- If slavery has been legally abolished, but the abuses associated with slavery persist under other designations, what does this say about the efficacy of legal abolition?
- Once slavery comes in a number of forms, it is not easy to say where slavery begins and ends. When it comes to ambiguous cases, how can we tell what is *not* slavery?

Further Readings

Richard Burchill, 'Stories of Oppression and Empowerment: The Tangled Role of International Law, Africa and the Eradication of Slavery' in Joel Quirk and Darshan Vigneswaran (eds.), *Slavery, Migration and Contemporary Bondage in Africa*, (Trenton: Africa World Press, 2013), pp. 251-275.

Jean Allain and Robin Hickey, 'Property Law and the Definition of Slavery', *International and Comparative Law Quarterly*, 61:4, 2012, pp. 915-938.

David Weissbrodt and Anti-Slavery International, *Abolishing Slavery and its Contemporary Forms*, UN Doc. HR/PUB/02/4 (Office of the United Nations High Commissioner for Human Rights 2002) available at <http://www.ohchr.org/Documents/Publications/slaveryen.pdf>.

Kevin Bales, *Disposable People: New Slavery in the Global Economy*, (Berkeley: University of California Press, 1999).

Genevieve LeBaron and Alison Ayers, 'The Rise of a 'New Slavery'? Understanding African Unfree Labour Through Neoliberalism,' *Third World Quarterly* 34:5, 2013, pp. 873-892.

Kevin Bales, *Understanding Global Slavery: A Reader*, (Berkeley: University of California Press, 2005).

Suzanne Miers, *Slavery in the Twentieth Century*, (Walnut Creek: Altamira Press, 2003).

A Global Alliance Against Forced Labour: Global Report Under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, (Geneva: International Labour Office, 2005).

Joel Quirk, 'Defining Slavery in All its Forms: Historical Inquiry as Contemporary Instruction', Jean Allain (ed.), *The Legal Understanding of Slavery: From the Historical to the Contemporary*, (Oxford: Oxford University Press, 2012), pp. 253-277.

Seminar Seven, Thursday 3rd of September

Human Trafficking and its Critics

Human trafficking is a new way of (re)classifying a longstanding series of problems and practices. Until fairly recently, the concept of trafficking rarely featured in either policy circles or popular discussions. While the various problems now described as forms of trafficking are historically ubiquitous, they were previously classified in terms of different categories, such as slavery, sexual slavery, prostitution, or child labour. Human trafficking first emerged as prominent framework during the mid-1990, building upon earlier campaigns focusing upon prostitution under banner of 'white slavery', or, less commonly, traffic in persons. This initial breakthrough can be chiefly attributed to a combination of intensifying campaigning around questions of sexual violence and abuse together with increasing anxieties regarding movements from developing to developed countries. Following this breakthrough, trafficking was rapidly embraced by governments, human rights activists, and international organizations, culminating in a situation today where trafficking is now firmly established as *the* pre-eminent way of conceptualizing and combating human bondage.

The remarkable rise of human trafficking as a political issue has not gone unchallenged. Over the last decade, a growing number of critics – both academics and activists – have questioned both the conceptual foundations and practical ramifications of recent efforts to combat trafficking. While many topics could be potentially discussed here, in this we will chiefly focus upon five overlapping themes. These themes are i) human trafficking as a form of "moral panic", ii) the methodological limitations of recent attempts at quantification, iii) the contentious relationship between trafficking and prostitution, iv) the relationship between trafficking, border protection, and criminality, and v) the role of the United States (US) government in shaping global anti-trafficking policies. Most of these critiques have chiefly focused on the nexus between trafficking and (forced) prostitution, which has attracted the lion's share of popular, scholarly, and political interest.

Essential Readings

Trafficking in Persons Report, 2014, (Washington: Department of State, 2014), pp. 29-45.

Elizabeth Bernstein, 'Militarized Humanitarianism Meets Carceral Feminism: The Politics of Sex, Rights, and Freedom in Contemporary Antitrafficking Campaigns', *Signs: Journal of Women in Culture and Society*, 36:1, 2010, pp. 45-71.

Janie A. Chuang, 'Exploitation Creep and the Unmaking of Human Trafficking Law', *The American Journal of International Law*, 108: 4, 2014, pp. 609-649.

Questions

- What is the relationship between human trafficking and slavery? Are they different things or different ways of describing the same thing?
- What should we make of the high priority attached to forced prostitution, or sexual servitude, within recent treatments of human trafficking? In what ways is sexual servitude distinctive? In what ways is it much the same as other forms of human bondage?
- To what extent can various forms of prostitution be legitimated and validated through the language of 'choice', 'consent', and 'sex-work'?
- What types of attributes are associated with narratives of 'innocent victims'? Do these narratives help to promote the cause? Or do they end up being counterproductive?
- What role has the United States government played in establishing human trafficking as a global issue? To what extent has US involvement been positive or negative?
- Since human trafficking frequently takes place between within states, to what extent is the current focus on 'border protection' simply a mask for other political agendas?
- What should we make of the historical roots of human trafficking within 'white slavery' discourse? Is this simply an embarrassing footnote or does it have real consequences?
- What should we make of popular depictions of human trafficking within various media forums? Should they be welcomed for raising popular awareness of problems today, or have they ended up promoting a misleading or unhelpful impression of the problems at hand?
- When all is said and done, does human trafficking hurt or help the cause of ending slavery and human bondage?

Further Readings

Janie Chuang, 'Rescuing Trafficking from Ideological Capture: Prostitution Reform and Anti-Trafficking Law and Policy', *University of Pennsylvania Law Review*, 158, 6, 2010, pp. 1655-1728.

Nandita Sharma, 'Anti-Trafficking Rhetoric and the Making of a Global Apartheid', *NWSA Journal* 17: 3, 2005, pp. 88-111.

Dina Francesca Haynes, 'The Celebritization of Human Trafficking', *The Annals of the American Academy of Political and Social Sciences*, 653, 2014, pp. 25-45.

Michelle Madden Dempsey, 'Sex Trafficking and Criminalization: In Defence of Feminist Abolitionism', *University of Pennsylvania Law Review*, 158:6, 2010, pp. 1729-1778.

Maggy Lee, *Trafficking and Global Crime Control*, (London: Sage Publications, 2011).

Siddarth Kara, *Sex Trafficking: Inside the Business of Modern Slavery*, (New York: Columbia University Press, 2009).

Karen E. Bravo, 'Exploring the Analogy between Modern Trafficking in Humans and the Trans-Atlantic Slave Trade', *Boston International Law Journal*, 25:2, 2007, pp. 207-295

Julia O'Connell Davidson, 'New slavery, old binaries: human trafficking and the borders of 'freedom'', *Global Networks*, 10:2, 2010, pp. 244-261.

Jacqueline Berman, '(Un)Popular Strangers and Crises (Un)Bounded: Discourses of Sex-Trafficking, the European Political Community and the Panicked State of the Modern State', *European Journal of International Relations* 9:1, 2003, pp. 37-86.

Jonathan Todres, 'Law, Otherness, and Human Trafficking', *Santa Clara Law Review*, 2009, 49: 3, pp. 605-672.

Benjamin Lawrance and Richard Roberts (eds.), *Trafficking in slavery's wake: law and the experience of women and children*, (Athens: Ohio University Press, 2012).

Claudia Aradau, The Perverse Politics of Four-Letter Words: Risk and Pity in the Securitisation of Human Trafficking, *Millennium: Journal of International Studies*, 2004, 33:2, pp. 251-277.

Catherine MacKinnon, *Are Women Human? And Other International Dialogues* (Cambridge, Mass: Harvard University Press, 2006).

Anne Gallagher, 'Human Rights and the New UN Protocols on Trafficking and Migrant Smuggling: A Preliminary Analysis' *23 Human Rights Quarterly*, 2001, pp. 975

Laura María Agustín, *Sex at the Margins: Migration, Labour Markets and the Rescue Industry* (London: Zed Books, 2007).

Julia O'Connell Davidson, *Children and the Global Sex Trade*, (Cambridge: Polity Press, 2005).

Sheila Jeffreys, *The Industrial Vagina: The Political Economy of the Global Sex Trade*, (London: Routledge, 2009).

MID SEMESTER BREAK

Seminar Eight, Thursday 17th of September

Human Trafficking and its Critics: the South African Case

In early 2010, journalists from all over the world descended upon South Africa to report on preparations for the FIFA World Cup. Since this was the first time that an African nation had hosted the World Cup, much of the media commentary focused on potential complications, such as concerns about public safety and the challenges of stadium construction. While most of these topics were the types of things one might expect to encounter as part of preparations for such a major international event, there was one issue that stood out as somewhat unusual: high levels of interest in the relationship between the World Cup and human trafficking, which was widely depicted as a form of slavery. According to journalists, government officials, international organizations, and human rights activists, human traffickers were busy making their own nefarious plans for the event.

One prominent intervention came from *Stop 2010 Human Trafficking*, which released a short online video featuring well known South African celebrities testifying to the dangers associated with human trafficking and legalized prostitution. This video included the startling claim that as 'many as one hundred thousand victims' were expected to be trafficked into slavery as part of the lead up to the World Cup. Writing for *Time Magazine*, E. Benjamin Skinner similarly reported on the existence of

'[m]ore than 500 mostly small-scale trafficking syndicates — Nigerian, Chinese, Indian and Russian, among others — [which] collude with South African partners, including recruiters and corrupt police officials, to enslave local victims'. In response to this apparent problem, the South African government introduced new anti-trafficking legislation. Yet when the World Cup came to its successful end in July 2011, it subsequently emerged that most of these reports were inaccurate and unfounded, with researchers determining that 'the sex worker population stayed relatively stable during the World Cup period and that, contrary to popular fears, there was no influx of children into the sex work industry'. These findings in turn echoed a similar study on prostitution in Cape Town in 2008, which concluded that local estimates of human trafficking had been grossly exaggerated. Once the World Cup was over, the South African government no longer felt the same urgency, and the anti-trafficking legislation that was tabled in 2010 has still not yet been approved by parliament.

Essential Readings

Benjamin E. Skinner, 'South Africa's New Slave Trade and the Campaign to Stop It,' *Time Magazine*, January 18th, 2010.

Kate Wilkinson and Sintha Chiumia, 'Are 30,000 children really 'trafficked' in South Africa every year?', *Africa Check*, 18th October 2013.

Chandré Gould, 'Sex Trafficking and Prostitution in South Africa', *The ANNALS of the American Academy of Political and Social Science*, 653:1, 2014, pp. 183-201.

Darshan Vigneswaran, 'Methodological Debates in Human Rights Research: A Case Study of Human Trafficking in South Africa, in Annie Bunting and Joel Quirk (eds.), *Contemporary Slavery: Studies in Rhetoric and Practice*, (Vancouver: University of British Columbia Press, in press).

Questions

- Is the case of human trafficking in South Africa exceptional or unique, or is it much the same as or parallel developments in many other parts of the globe?
- Why have questions of sexual servitude and prostitution featured so prominently in recent debates? Is this prominence justified? What other agendas are at work here?
- Does the scale of human trafficking in South Africa justify the levels of energy and attention which it has generated both within South Africa and internationally?
- Given all the other serious problems which South Africa faces, what priority should be given to human trafficking?
- If labour exploitation came to feature more prominently in public discussion of human trafficking, how would the current status quo change?
- What would an effective and appropriate response to human trafficking in South Africa look like? To what extent can current policy be described as effective and/or appropriate?

Further Readings

Delva, Wim, Marlise Richter, Petra De Koker, Matthew Chersich, and Marleen Temmerman. 2011. Sex Work during the 2010 FIFA World Cup: Results from a Three-Wave Cross-Sectional Survey, *PLoS ONE* 6 (12).

Chandre Gould, *Selling Sex in Cape Town: Sex Work and Human Trafficking in a South African City* (Pretoria: Institute for Security Studies, 2008).

Richter, Marlise, Matthew Chersich, Dudu Ndlovu, Gerrit Maritz, and Marleen Temmerman, 'Maybe it will be better once this World Cup has passed' *Sex Work and the 2010 Soccer World Cup – Violation of sex worker human rights persists*, 2010. Available from http://www.migration.org.za/sites/default/files/publications/2010/Sex_Work_and_the_2010_Soccer_World_Cup_-_Media_Brief.pdf

Tsireledzani: Understanding the Dimensions of Human Trafficking in Southern Africa, (Human Sciences Research Council, 2010).

Chandré Gould, Marlise Richter and Ingrid Palmery, 'Of Nigerians, albinos, Satanists and anecdotes A critical review of the HSRC report on human trafficking,' *SA Crime Quarterly*, 32, 2010. Available at <http://www.issafrica.org/uploads/CQ32Gould.pdf>.

Seminar Nine, Thursday 25th of September

'Classical' Slavery and Descent Based Discrimination in West Africa

This seminar focuses upon a small number of cases where the historical categories of master and slave have continued to have a profound influence upon contemporary life. The main focal point here is West Africa. Within the last decade, the governments of both Mauritania (2007) and Niger (2003) have felt obliged to pass legislation (re)abolishing slavery in response to both domestic pressure and international exposure. For citizens in both countries, slavery has been a fact of life for generations, with slaves enduring arduous work routines, cruel punishments, sexual abuse, and family separations. The continued viability of these residual slave systems chiefly depends on children born into slavery. The contemporary legacies of historical slave systems also find expression in larger patterns of descent-based discrimination. In many parts of West Africa, there are hundreds of thousands of former slaves and the descendants of slaves who no longer owe extensive obligations to a specific master, yet nonetheless continue to experience forms of discrimination and subordination because of their slave heritage. This discrimination and subordination routinely shapes employment practices, marriage prospects, and social relationships, and can also have a major influence upon ongoing failures by government officials to protect human rights. In this environment, the language of classical slavery has proved to be an effective way of attracting attention, but it also remains hamstrung by a number of analytical and political shortcomings.

Essential Readings

Martin Klein, 'Slave Descent and Social Status in Sahara and Sudan', in Benedetta Rossi (ed.), *Reconfiguring Slavery: West African Trajectories*, (Liverpool: University of Liverpool Press, 2009), pp. 26-44.

Lotte Pelckmans and Eric Hahonou, 'Citizenship struggles: Social movements and slavery in West Africa.', *Vienna Journal of African Studies*, 20, 2011, pp. 141-162.

Helen Duffy, 'Hadijatou Mani Koraou v Niger: Slavery Unveiled by the ECOWAS Court', *Human Rights Law Review*, 9:1, 2009, pp. 151-170.

Questions

- Should 'classical' slavery be regarded as a singular, exceptional category, or simply one amongst many forms of modern slavery?
- Does the English term 'slavery' provide an accurate definition for the multiple forms of dependency and attachment found in West African society?
- On what terms can we connect slavery as an inherited status to more recent examples of labour exploitation and social marginalization?
- How significant is the continuing influence of discrimination on the basis of slave descent? Since discrimination tends to be social, rather than legal, what types of policy responses are available in order to bring about improvements in the current status quo?
- What does the case of Hadijatou Mani Koraou reveal about to persistence of slavery in Niger? What does it obscure?
- What factors explain the strong resonance of slavery in this region, but not in others?
- To what extent can the problem of 'slavery' in places such as Mauritania and Niger be primarily explained in terms of poverty and underdevelopment?

Further Readings

Martin Klein, *Slavery and Colonial Rule in French West Africa* (Cambridge: Cambridge University Press, 1998), especially ch. 1, 13-14.

Zekeria Ould Ahmed Salem, 'Bare-foot Activists: Transformations in the Haratine movement in Mauritania', Stephen Ellis and Ineke van Kessel (eds.), *Movers and Shakers: Social Movements in Africa*, (Leiden: Brill, 2009), pp. 157-177.

Susanne Miers and Richard Roberts (eds.). *The End of Slavery in Africa*, (Madison: The University of Wisconsin Press, 1988), especially ch. 1, 4, 12, 13, 17.

Baz Lecocq, 'The Bellah Question: Slave Emancipation, Race, and Social Categories in Late Twentieth Century Northern Mali', *Canadian Journal of African Studies*, 39:1, 2005, pp. 42-67.

Mirjam de Bruijin and Lotte Pelckmans, 'Facing Dilemmas: Former Fulbe Slaves in Modern Mali', *Canadian Journal of African Studies*, 39:1, 2005, pp. 69-95.

Catherine VerEecke, 'The Slave Experience in Adamawa: Past and Present Perspectives from Yola(Nigeria).' *Cahiers d'Etudes Africaines*, 34 (133-135), 1994: 23-53.

Galy Kadir Abdelkader (ed.), *Slavery in Niger: Historical, Legal and Contemporary Perspectives* (Anti-Slavery International & Association Timidira, 2004), available at <http://www.antislavery.org/homepage/resources/PDF/Full%20English%20Slavery%20in%20Niger.pdf>.

Jean Allain, 'Case Note: Mani v. Niger', *American Journal of International Law*, 103: 2, 2009, pp. 311-316.

Seminar Ten, Thursday 1st October

Wartime Enslavement in Africa: Sexual Slavery, 'Forced Marriage' and Slave Redemption

Most accounts of the historical origins of slavery begin with the enslavement of prisoners taken in violent conflict. This has traditionally been expressed in the language of a bargain, with prisoners 'consenting' to enslavement in order to avoid immediate execution. This enduring link between war and slavery has not yet entirely come to an end. The main issue from a modern slavery perspective has been the wartime practice of kidnapping women and children as part of organized raiding parties. This practice is most prominently associated with recent conflicts in Sudan, Sierra Leone and Uganda, but has also been reported in other conflict situations in Africa and elsewhere

In this seminar we explore the recent history of sexual slavery and forced marriage in conflict situations. In April 2012, the Special Court of Sierra Leone found Charles Taylor, former President of Liberia, guilty on 11 counts of aiding and abetting war crimes and crimes against humanity during his involvement in the civil war in Sierra Leone (1991-2002). One of the crimes for which Taylor was found guilty was 'conjugal slavery', which the court defined for the first time as a 'claim by the perpetrator to a particular victim as his "wife" and the exercise of exclusive sexual control over her, barring others from sexual access to the victim, as well as the compulsion of the victim to perform domestic work such as cooking and cleaning'. As part of its lengthy judgement, the Special Court formally defined conjugal slavery as a subcategory of the more established crime of sexual slavery. While scholars and activists are only beginning to debate the merits of this new approach, the previous history of deliberations in this general area makes it unlikely that the Taylor judgement – which is currently being appealed – will definitely settle the underlying issues at stake here. In an earlier case in 2008, the Special Court favored a quite different approach when it ruled (on appeal) that cases of what was alternatively described as 'forced marriage' should be regarded as a separate crime against humanity, which was legally distinct to sexual slavery. This older formula was based upon the still contentious claim that forced marriage 'is not predominantly a sexual crime', but instead involved 'forced conjugal association or partnership' and 'long-term social stigmatization'.

In addition, this seminar will also explore the ethics and economics of slave redemption in Sudan. Between 1983 and 2005, persistent raids by government backed militias resulted in tens thousands of people from southern Sudan being forced into service as cattle-herders, domestic servants, sex slaves and 'wives'. In order to secure the return of those taken in these raids, some local community leaders and—from 1995 onwards—international organizations developed an extensive redemption program, raising funds through high-profile public campaigns based around the idea of buying the freedom of enslaved captives. These programs proved to be extremely controversial, with critics charging that redemption encouraged further raids, that they unduly rewarded slave-holders, and that they were subject to fraud. In this environment, it remains an open question whether 'buying freedom' should be regarded as viable ethical and practical strategy.

Essential Readings

Annie Bunting, 'Forced Marriage' in Conflict Situations: Researching and Prosecuting Old Harms and New Crimes', *Canadian Journal of Human Rights*, 1:1, 2012, pp. 165-185.

Chris Coulter, *Bush Wives and Girl Soldiers: Women's Lives Through War and Peace in Sierra Leone*, (Ithaca: Cornell University Press, 2009), pp. 95-153.

E. Benjamin Skinner, *A Crime So Monstrous*, (Edinburgh: Mainstream Publishing, 2008), pp. 87-131.

Questions

- On what terms can we meaningfully distinguish between sexual slavery and forced marriage, either legally or historically?
- How significant are recent criminal prosecutions for wartime enslavement? Given the small numbers of people involved (and the much larger number who got away), should we regard these cases as a major breakthrough, or a minor skirmish?
- On what terms can we connect wartime abuses with peacetime examples of arranged or forced marriage?
- If 'buying freedom' proved to be politically effective, would there still be a moral case against giving money to slave-owners, no matter how positive the overall result might be?
- If slave redemption is undesirable or immoral, what other potential strategies are available to combat wartime enslavement?
- Since war creates an environment where it is very difficult to take effective remedial action, shouldn't our main focus be bringing about an end to hostilities?

Further Readings

Binaifer Nowrojee, 'Making the Invisible War Crimes Visible: Post-Conflict Justice for Sierra Leone's Rape Victims,' *Harvard Human Rights Journal* 18 (2005).

Valerie Oosterveld, 'Sexual Slavery and the International Criminal Court: Advancing International Law,' *Michigan Journal of International Law* 25 (2004).

Slavery, Abduction and Forced Servitude in Sudan, Report of the International Eminent Persons Group (United States Department of State, Bureau of African Affairs, 2002),
www.state.gov/p/af/rls/rpt/10445.htm,

Belair Karine, 'Unearthing the Customary Law Foundations of 'Forced Marriages' during Sierra Leone's Civil War: The Possible Impact of International Criminal Law on Customary Marriage and Women's Rights in Post-conflict Sierra Leone,' *Columbia Journal of Gender and Law* 15 (2006).

Micaela Frulli, 'Advancing International Criminal Law: The Special Court for Sierra Leone Recognizes Forced Marriage as a 'New' Crime against Humanity,' *Journal of International Criminal Justice* 6 (2008).

Neha Jain, 'Forced Marriage as a Crime against Humanity: Problems of Definition and Prosecution,' *Journal of International Criminal Justice* 6 (2008).

Valerie Oosterveld, 'The Special Court for Sierra Leone's Consideration of Gender-based Violence: Contributing to Transitional Justice?', *Human Rights Review*, 10, (2009).

Valerie Oosterveld, 'Sexual Slavery and the International Criminal Court: Advancing International Law,' *Michigan Journal of International Law* 25 (2004).

Amy Palmer, 'An Evolutionary Analysis of Gender-Based War Crimes and the Continued Tolerance of 'Forced Marriage', *Northwestern Journal of International Human Rights* 7:1 (Spring 2009).

Augustine Park, 'Other Inhumane Acts': Forced Marriage, Girl Soldiers and the Special Court for Sierra Leone,' *Social Legal Studies* 15 (2006).

Jok Madut Jok, *War and Slavery in Sudan* (Philadelphia: University of Pennsylvania Press, 2001).

Slavery and Slave Redemption in the Sudan, *Human Rights Watch Backgrounder* (Human Rights Watch, 2002), <http://www.hrw.org/backgrounder/africa/sudanupdate.htm>

The Sudan Abduction and Slavery Project, Rift Valley Institute, <http://www.riftvalley.net/?view=abductee>.

Abductions, Sexual Slavery and Forced Labour in Darfur (Kampala: Darfur Consortium, 2009), 3, http://www.antislavery.org/includes/documents/cm_docs/2009/d/darfur.pdf.

Anti-Slavery International, *Is There Slavery in Sudan?* (London: Anti-Slavery International, 2001) http://www.antislavery.org/includes/documents/cm_docs/2009/i/isthereslaveryinsudanreport.pdf

'Forced Labour and Slavery in Sudan,' Submission to the Working Group on Contemporary Forms of Slavery (London: Anti-Slavery International, 2003), <http://www.antislavery.org/archive/submission/submission2003-sudan.htm>.

Richard Minitier, 'The False Promise of Slave Redemption,' *Atlantic Monthly* (July 1999), pp. 63-70.

Seminar Eleven, Thursday 8th of October

The 'Afterlife' of Slavery: Racism, Segregation and 'the New Jim Crow'

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

Historical campaigns against transatlantic slavery did not substantially undermine or alter this racist foundation. Key white figures in the original European anti-slavery movement condemned the slave trade and slavery as institutions, but did not regard those they sought to 'save' as their peers or equals. Since the late eighteenth century, public commitments to the anti-slavery cause have been regularly invoked as markers of 'superior' moral status and 'civilizational' standing, thereby creating a self-congratulatory divide between 'saviors' and 'suplicants', and 'civilized' and 'backwards'. These binaries contributed to a model where all kinds of brutal and coercive interventions would be justified in terms of the paternalistic 'uplifting' the 'backward' conditions of 'lesser peoples'. Alongside this paternalistic rhetoric were more familiar forms of racism and discrimination, which have contributed to contemporary settings where legacies of slavery continue to be reflected in patterns of policing, incarceration, immigration, employment, and social and economic participation.

Essential Readings

David Blight, 'The Civil War Isn't Over', *The Atlantic*, April 8th, 2015.

Heather Ann Thompson, 'Why Mass Incarceration Matters: Rethinking Crisis, Decline, and Transformation in Postwar American History', *The Journal of American History*, 97:3, 2010, pp. 703-734.

Khalil Saucier, and Tryon Woods, 'Ex Aqua: The Mediterranean Basin, Africans on the Move, and the Politics of Policing', *Theoria*, 61:141, 2014, pp. 55-75.

Questions

- What is the relationship between the history of slavery and contemporary racism?
- It has often been said that the North won the war, but the South won the peace. What is the thinking behind this statement?
- What accounts for the widespread denial of slavery and racism as contemporary issues?
- How useful – either politically or analytically – is the language of an 'afterlife' of slavery?
- What is the relationship between public institutions, racism and discrimination, and private actors and interests?
- How does antiblack racism shape specific public policy outcomes in relation to policing, incarceration, immigration, employment, and social and economic participation?
- What types of political activism has emerged in opposition to the 'afterlife' of slavery? What are their techniques and goals, and what types of responses have they provoked?

Further Readings

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

David Blight, *Race and Reunion: The Civil War in American Memory*, (Cambridge, Mass: Harvard University Press, 2001).

Alex Lichtenstein, *Twice the Work of Free Labor: The Political Economy of Convict Labor in the New South*, (New York: Verso Press, 1996).

Khalil Gibran Muhammad, *Condemnation of Blackness*, (Cambridge, Mass: Harvard University Press, 2011).

Joy James (eds.), *Warfare in the American Homeland: Policing and Prison in a Penal Democracy*, (Durham: Duke University Press, 2007).

Jared Sexton, *Amalgamation Schemes: Antiblackness and the Critique of Multiracialism*, (Minneapolis: University of Minnesota Press, 2008).

Jared Sexton, 'People-of-Color-Blindness: Notes on the Afterlife of Slavery', *Social Text*, 28:2, 2010 103, pp. 31-56

Douglas Blackmon, *Slavery by Another Name: The Re-Enslavement of Black Americans from the Civil War to World War II*, (New York: Anchor Books, 2009).

Charles W. Mills, *The Racial Contract*, (Ithaca: Cornell University Press, 1999).

Angela Y. Davis, *Are Prisons Obsolete?* (New York: Seven Stories Press, 2003)

Caleb Smith, *Prison and the American Imagination*, (New Haven: Yale University Press, 2011).

Seminar Twelve, Thursday 15th of October

Memories, Legacies and Representations of Slavery

The last two decades have seen a remarkable surge of public, political and intellectual interest in the history of slavery and its legacies. This began in earnest in the mid-1990s, and while not all countries or regions have been affected to the same degree, it is nonetheless possible to speak in terms of a genuinely transnational phenomenon, which has seen renewed interest in – and significant political activism connected with – the history of slavery and abolition in many settings across Western Europe, the Caribbean, the Americas, Africa and parts of the Middle East. Much of this activity has been articulated in terms of the idea of ‘breaking the silence’ surrounding slavery. As the reference to ‘silence’ makes clear, there is a widespread sentiment – most notably amongst peoples of African descent – that slavery has tended to be reduced to a historical phenomenon, rather than a major issue of enduring consequence. This ‘silence’ has never been total, but slavery has nonetheless rarely been accorded the types of public recognition that might have been expected of a key institution practised by most peoples at most times for nearly all of recorded human history.

While numerous shortcomings and silences surrounding the history and legacies of slavery undoubtedly persist, recent and ongoing efforts at ‘breaking the silence’ have nonetheless had a major impact and, as a consequence, the history of slavery and its legacies have received much greater global attention and recognition than had previously been the case. Ground-breaking initiatives such as the 1994 UNESCO Slave Route Project; commemorative occasions like the tercentenary of the famous Maroon leader Zumbi in Brazil in 1995 and the 1998 anniversary of the abolition of slavery in France; and the opening of new museums as far apart as Europe and South Africa, have led the way towards a commemorative model of engagement with slavery involving memorial practices, sculptures, monuments, museums and associations.

Essential Readings

Nigel Worden, ‘The Changing Political of Slave Heritage in the Western Cape, South Africa’, *Journal of African History*, 50:1, 2009, pp. 23-40.

Marcus Wood, *The Horrible Gift of Freedom: Atlantic Slavery and the Representation of Emancipation*, (Athens: University of Georgia Press, 2010), pp. 296-353.

Zoe Trodd, ‘Am I Still Not a Man and a Brother? Protest Memory in Contemporary Antislavery Visual Culture’, *Slavery and Abolition*, 34:2, 2013, pp. 338-352.

Questions

- What types of political agendas and social groupings are responsible for the recent surge of interest in remembering and commemorating slavery?
- To what extent can recent commemoration activities be primarily explained in terms of contemporary concerns with race, citizenship, and social cohesion, rather than a genuine recognition of historical injustices which took place in the past?
- How and why have commemorative activities varied between cases and countries?
- What types of factors need to be taken into account when it comes to creating monuments and memorials to slavery?
- What can we realistically expect of museums and monuments when it comes to commemorating and remembering slavery and its legacies?
- By what standards should we judge recent commemorative activities? Are they too little too late, or do they constitute a meaningful step towards truly breaking the silence? Do some countries have better records than others in this area?

Further Reading

Pumla Dineo Gqola, *What is Slavery to Me? Postcolonial/Slave Memory in Post-Apartheid South Africa*, (Johannesburg: Wits University Press, 2010).

Ana Lucia Araujo, *Public Memory of Slavery: Victims and Perpetrators in the South Atlantic* (Amherst: Cambria, 2010).

Bayo Holsey, *Routes of Remembrance: Refashioning the Slave Trade in Ghana*, (Chicago: University of Chicago Press, 2008).

Anne Eichmann, 'The Heritage of Slavery and Nation Building: A Comparison of South Africa and Mauritius', in Douglas Hamilton, Kate Hodgson and Joel Quirk (eds), *Slavery, Memory and Identity: National Representations and Global Legacies*, (London: Pickering & Chatto, 2012), pp. 63-76.

Ana Lucia Araujo (ed.), *Living History: Encountering the Memory of the Heirs of Slavery*, (Newcastle-upon-Tyne: Cambridge Scholars Publishing, 2010).

J.-Y. Camus, 'The Commemoration of Slavery in France and the Emergence of a Black Political Consciousness', *European Legacy*, 11:6, 2006, pp. 647-55.

Elizabeth Kowaleski-Wallace, *The British Slave Trade and Public Memory* (New York: Columbia University Press, 2006).

Micki McElya, *Clinging to Mammy: The Faithful Slave in Twentieth-Century America*, (Cambridge, Mass: Harvard University Press, 2007).

Seminar Thirteen, Thursday 22nd of October

Reparations for Slavery

The last two decades have been marked by an upsurge of interest in questions of historical injustice. Four overlapping themes can be identified here. First, we have calls for financial compensation for

systemic abuses of human rights which occurred in the past. This is most prominently associated with campaigns for reparations for the history and legacies of transatlantic slavery, which draw much of their inspiration from earlier claims brought against governments for World-War II era abuses. Second, we have growing calls for governments and other actors to formally apologize for prior acts of historical injustice, such as lynching in the United States, the failings of the Catholic Church, and various abuses associated with colonial rule and wartime massacres. Third, we have the emergence of ideas and institutions associated with transitional justice, which are most prominently connected to various models of truth and reconciliation following the fall of authoritarian regimes and/or the cessation of armed conflict. Finally, we have the growing prominence of questions of national commemoration and public education, reflecting competing efforts to shape how a given sequence of historical events comes to be represented and remembered.

These various efforts to repair historical wrongs pose a number of challenges to established models of legal responsibility and corrective justice. In many cases, claims for historical restitution involve intergenerational and/or collective claims against governments, corporations and communities, rather than more familiar relationships between individuals. These claims for restitution can also be difficult to reconcile with established models of legal culpability and individual responsibility because it is not always easy to demonstrate the type of clear connection between victim and perpetrator, which is conventionally regarded as a precondition for legal restitution. The overall scale and/or extended duration of the abuses involved can also create complications, since it can be difficult to know how to navigate the large numbers of individuals and institutions implicated in a particular series of events.

In the specific case of slavery, recent claims for reparations have primarily focused upon the Transatlantic Slave Trade. These claims have primarily come from the USA for the descendants of slaves, and from Africans seeking redress for African underdevelopment through the Transatlantic Slave Trade, Colonialism and neo-colonialist economic relationships. These reparations claims have proved highly controversial from a historical, legal and analytical standpoint. Reparations in the form of financial compensation and national apologies have drawn inspiration from similar claims stemming from the Holocaust and historical abuses against Native Peoples. The suitability of these examples as models to follow has been questioned and there has been significant opposition to these comparisons. For some critics, calls for reparations are ultimately backward looking, and it would be preferable for contemporary inequality and injustice to take precedent over addressing events from previous centuries. What then, should be our response to the history and legacies of slavery?

Essential Readings

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Hillary Beckles, *Britain's Black Debt: Reparations for Caribbean Slavery and Native Genocide*, (Jamaica: University of West Indies Press, 2013), pp. 172-193.

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Questions

- What is meant by the word reparations? What do reparations seek to achieve?
- Why have calls for reparations for historic slave systems emerged? Why have they emerged in relation to some historical slave systems but not for others?
- What can be judged as success in terms of securing reparations? Does this alter if we use the word repair instead of reparations?
- Is it possible to apologise for wrongs committed by previous generations?
- Is the call for reparations for historical slave systems a sign that human rights have not been fully delivered?
- Should we be looking to the present and the future rather than to the past?

Further Reading

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<http://staff.gsacrd.ab.ca/~ameunier@gsacrd.ab.ca/FOV2-0003FA15/FOV2-000400DC/FOV2-00066A97/Historical%20injustice.pdf>.

Mathias Thaler, 'Just pretending: political apologies for historical injustice and vice's tribute to virtue', *Critical Review of International Social and Political Philosophy*, 15:3, 2012, pp. 259-278.