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Revisiting Slavery and Antislavery, edited by Laura Brace and Julia O'Connell Davidson

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Chapter 1

Slavery and the Revival of AntiSlavery Activism

Laura Brace and Julia O'Connell Davidson

Slavery had been legally outlawed everywhere in the world by the end of the twentieth century. Yet as the millennium dawned, there was a revival of anti-slavery activism. In 2000, the long-established, British-based NGO Anti-Slavery International acquired a new US-based sister organization, Free the Slaves (the two have since severed their links), and many more anti-slavery NGOs were founded over the next twelve years in the US, Australia and Western European countries, including Stop the Traffik, Not For Sale, End Slavery Now, CNN Freedom Project, Alliance Against Modern Slavery, and Walk Free Foundation. Building on claims about 'human trafficking' as a vast and growing organized criminal business that have been widely made by governmental and intergovernmental actors since the 1990s, and equating 'trafficking' with slave-trading, this 'new abolitionist' movement insists that slavery is not merely a persistent, but also an expanding global problem (Batstone, 2007:5).

In 1999, Kevin Bales, co-founder of the antislavery NGO, Free the Slaves, estimated that some 27 million souls were affected by 'trafficking' and other forms of 'new slavery'. In 2013, the Walk Free Foundation, assisted by Bales, launched a report titled *The Global Slavery Index* (GSI), which enlarged that estimate to 29.8 million. The following year, the GSI set the number of 'modern slaves' in the contemporary world at 35.8 million. The 2016 GSI

expanded the estimate to 45.8. Figures like these are used to support the claim that there are now 'more slaves than at any time in human history' (McNally, 2009).

The discourse of 'new' or 'modern' slavery invokes the past to frame the present not just in the sense that it identifies certain contemporary forms of oppression as equivalent to historical practices of enslavement, but also as a means of stressing the urgency of the present problem. The quantum of human suffering implied by 'new slavery' is even greater than that imposed by 'old slavery'. Other differences between new and old slavery are also asserted. 'Today's slavery focuses on big profits and cheap lives. It is not about owning people like before, but about using them as completely disposable tools for making money' (McNally, 2009), and we are also told that whilst 'ethnic differences' were important to 'old slavery', today's slavers are 'color-blind'. It is said to be poverty, not racialized identity, that renders individuals vulnerable to enslavement (Bales, 1999; 2004). And unlike old slavery, new slavery is said to be a clandestine phenomenon. In an article for the *Telegraph* in 2013, British Prime Minister Theresa May (who was then the Home Secretary) asserted that 'modern slavery' is: 'hidden in plain sight. It is walking our streets, supplying shops and supermarkets, working in fields, factories or nail bars, trapped in brothels or cowering behind the curtains in an ordinary street'.

The task for contemporary anti-slavery activists is thus not so much to proselytise against slavery (which is now regarded as self-evidently wrong), but to expose crimes taking place in a concealed underworld, and to work with governments and civil society to prevent such crimes and to support their victims. The new abolitionists seek to 'shine a light on slavery' (Kristine, 2013). Their goal is to raise public awareness such that, as Theresa May (2013),

quoting from William Wilberforce, said when introducing her Modern Slavery Bill, 'you may choose to look the other way but you can never again say that you did not know'.ⁱ

By quoting from Wilberforce, May inserted herself into a narrative that constitutes a particular relation between pasts, presents and futures (Scott 2004: 45). The story of 'new' or 'modern slavery' promulgated by most politicians, policy makers, and journalists, as well as anti-slavery activists represents slavery as part of the barbarism of the past, abolished by modern liberal states in the nineteenth century; it appears as inimical to the present of liberal societies, and as something that will be entirely vanquished in the future when all the world is guided by liberal values. This is a linear tale that takes the idea of rupture with the past as its starting point and in which liberalism incrementally extends freedom to all. The 're-emergence' of slavery in the twenty-first century does not disrupt that narrative, it simply allows for a kind of abolitionist sequel in which the same liberal superhero is called back to vanquish the old enemy one more time.

This edited volume challenges the dominant discourse on 'new' or 'modern slavery' by initiating an interdisciplinary dialogue between scholarship on the pasts of slavery and abolitionism, and research on phenomena that the new abolitionists discuss under the rubric of modern slavery (such as debt, child labour, forced labour, forced marriage), as well as on restraints on freedom typically overlooked by the new abolitionists (such as imprisonment). It critically interrogates the way in which the new abolitionism portrays the past as well as the present, partly because that portrayal is at odds with serious scholarship on slaveries historically and on contemporary forms of exploitation, but also because it lends support to policies that are far from benign in their effects. In fact, the response of most governments – especially in the affluent world - to the new abolitionist campaign against 'modern slavery'

has been to promise tighter policing, tougher sentencing, harsher immigration policies, and ever-stricter border controls. In other words, in the name of combatting modern slavery, states are pursuing policies that imply heavy restrictions, sometimes extremely violent restraints, on the freedoms of many migrants, and that do almost nothing to change the condition of those unable to move from contexts in which their rights, well-being, and even their lives are under threat. The policy response often further includes measures to suppress prostitution or eliminate child labour, again strengthening the punitive powers of states and restricting the livelihood options available to women and teenagers without ensuring them realistic or sustainable alternatives.

‘The past of slavery has its many presents, and the present of exploitation its many pasts’, Alice Bellagamba (2016) observes. Given this, and the extent and wealth of the available literatures on slaveries and on contemporary systems of domination, the volume necessarily provides only a very partial and incomplete survey of research on restraints on human freedom past and present. Because the discourse of ‘new’ or ‘modern slavery’ that is under critique takes transatlantic slavery as the archetype of ‘old slavery’ and a wrong that was righted by abolition, the volume attends to Atlantic world history, rather than to the histories of slaving in the ancient world or in other regions. Our aim in keeping this focus is to move away from the idea of rupture and from the ahistoricism of ‘modern slavery’ discourse. However, we hope that the contributions to this volume will serve to invigorate further debate on the theory and practice of representing slavery and related systems of domination, and more rigorous interrogation of the binary between slavery and freedom in different historical and political contexts. This introductory chapter contextualises those contributions by exploring how the multiple pasts of slavery and exploitation have been, and are, selectively remembered and forgotten in abolitionist thinking.

From Slavery to Anti-Slavery

Different forms of slavery are known to have existed in prehistoric societies and to have been present historically in most regions of the world. Slavery was 'a major institution in antiquity', and one that did not disappear with other ancient institutions at the end of the Roman Empire (Thomas, 1997: 25). Throughout the early Middle Ages, 'slaves constituted a highly prized section of the population of Europe' and though the institution of slavery withered in North West Europe during the eleventh century, it persisted in other regions (Thomas, 1997: 34). Indeed, the Mediterranean slave trade of the twelfth to fifteenth centuries, through which mostly Venetian and Genoese merchants supplied sugar-producing Crusader states with enslaved Slavs from the Dalmatian Coast (and others from the Black Sea region), is said to have foreshadowed the transatlantic trade in terms of its organization (Davis, 2003).

Robin Blackburn (2011: 8-9) reminds us that whilst slaveholding has 'been quite common in human societies', it has not always been 'of structural importance to the ruling group' – in fact, 'fully fledged slave societies have been quite rare'. Nonetheless, considered against slavery's ubiquity in human history, the contemporary global consensus on its wrongness is remarkable. The fight against it is now 'one of the very few human rights imperatives that attracts no principled dissent' (Hathaway 2008: 7). As Thomas Haskell observes, though many free people in slave societies had pitied slaves, and philosophers and moralists had long acknowledged that slavery was ethically difficult, until the middle decades of the eighteenth century, it was generally regarded '*as nothing worse than a regrettable but necessary evil*' (1998: 302, emphasis in the original). Then:

in little more than a century, slavery was suddenly transformed from a troubling but readily defensible institution into a self-evidently intolerable relic of barbarism, noxious

to decent people everywhere. On a historical scale of reckoning, this reversal of opinion occurred overnight (Haskell, 1998: 302).

So great was the *volte face*, in fact, that where in the seventeenth and eighteenth centuries, European colonial ventures in the Americas were widely understood to necessitate slave trading and chattel slavery, by the end of the nineteenth century, European and North American colonial ventures in Africa were legitimated, in part, as necessary to cleanse the 'dark continent' of barbaric practices such as slavery and slave trading. Even King Leopold II's deadly regime in the Congo was initially authorized as a humanitarian and philanthropic intervention (Quirk, 2011).

The reasons for this relatively abrupt shift in perceptions of slavery in Western Europe and North America have been much debated. Eric Williams' (1944) now classic *Capitalism and Slavery* opened one strand of debate by arguing that the exigencies of capitalist economic development, not humanitarian high thinking, were the primary impetus for the abolition of slavery in the West Indies. The idea of an association between the rise of capitalism and the fall of Atlantic world slavery is now widely accepted, but the exact nature of the link is disputed. David Brion Davis has made particularly important interventions through his focus on how, 'by defining slavery as a unique moral aberration, the [antislavery] ideology tended to give sanction to the prevailing economic order', namely, a capitalist order in which 'free' wage labour was to play a central role (1992: 63; see also Ashworth, 1992; Davis, 1966, 1975, 2014; Foner, 1995; Genovese, 1965). The abolition campaigns of late eighteenth-century England were highly political, with a great deal to say about slavery and property, and owning a property in the person, and about the rights of free-born Englishmen and how to preserve them from encroaching despotism. Their selectivity in focusing on natural rights and on the

slave trade (rather than on slavery) allowed reformers to project 'the social costs and amorality of growing capitalism onto slavery in politically safely remote West Indian colonies' (Miller 2012: 7).

In the period when antislavery thought developed its support, there was also growing public knowledge of the extremely harsh conditions experienced by wage labourers in Europe and North America. Chartists and labour rights activists spoke passionately against the abject squalor in which wage labourers lived, hungered and died in industrial cities, depicting their 'freedom' as but the liberty to starve, sometimes describing their situation as 'white' or 'wage-slavery'. As Tommy Lott points out in Chapter 2 of this volume, the distinction between slavery and drudgery was not always easy to draw, and slavery always overlapped with other forms of servitude. Yet the key figures of the original British abolitionist movement were not also agitating on behalf of servants and wage workers. In fact, many of them were themselves employers with strong views on the need for servants to be industrious, diligent, sober, faithful, and respectful to their Masters - their 'denunciation of colonial slavery... implied no taste for a freer or more equal society' (Davis, 1992: 95). This was true in relation to racial (and gender) as well as class, inequalities.

Through the transatlantic slave trade, 'slavery became indelibly linked throughout the Western Hemisphere with people of African descent... the dishonor, humiliation and bestialization that had universally been associated with chattel slavery now became fused with Negritude' (Davis, 2003: 29). The history of that fusion is more geographically and chronologically varied than sometimes assumed (Jennison, 2015; Midlo Hall, 1997), but ultimately, blackness came to signal an incapacity for rights and freedom. In the West Indies and the American South, tropes of enslaved Africans and their descendants as 'evasive,

disguised, lazy, childlike, lying, thieving, distrustful, capricious', yet also kind and cheerful 'songsters' were deployed to support the argument that people racialized as black were, by nature, unfit or unready for liberty (Hall, 2002: 102; Kendi, 2016). Such tropes were not uniformly rejected by slavery's opponents, but were instead often re-worked in abolitionist campaigning to produce a vision of 'the black slave' as nothing but a suffering body, empty of subjectivity, will and voice. These representations spoke much more closely to the concerns of a white European audience than they did to the experience of the enslaved (Lively, 1998: 61). Indeed, as Mary Nyquist (Chapter 3) explains, slavery carried exceptional rhetorical power in defining the status of freeborn Englishmen from the seventeenth century onwards. We are talking here, as Jared Sexton says in Chapter 12, about how status is made.

In anti-slavery literature, 'the black slave' became a screen upon which to project and explore European sensibilities, in particular, the European's reaction to the violence enacted on the bodies of the enslaved, for 'sensibility is exemplified by the ability to suffer along with the suffering of others' (Lively, 1998: 75). The idea of slavery, especially 'the brutality of domination', appeared to 'derive some its elemental intensity as a kind of distillation of the helplessness and isolation underlying the radical individualism of modern life', Miller (2012: 5) argues. As part of this elemental intensity and the quest for consolation, antislavery narratives also frequently offered their audience moral salvation. In Harriet Beecher Stowe's *Uncle Tom's Cabin*, for example, Tom functions as 'a Christ figure' whose humiliation, suffering and death promises the reader redemption, if only she will repent her own spiritual impoverishment and commit herself to the antislavery cause (Lively, 1999: 87).

Certainly, white Euro-American discourse on slavery allowed for a desire to act on behalf of the enslaved against the cruelties they suffered without simultaneously finding it necessary

to acknowledge them as equals. Indeed, the European abolitionist campaign initially focused its concern on the abolition of the slave trade rather than of slavery, which many believed should be gradually ameliorated rather than immediately outlawed. Its efforts mostly centred on the 'abuse of the practice, not the practice itself, hence... pangs of sympathy and empathy sit side-by-side with the securely entrenched belief in the necessity and justness of the practices' (Pleasant 2008: 204). For the early British abolitionists, slavery was not so much an affront to the inherent dignity and equality of every human being as to the 'traditional' English values and laws that constructed all individuals – whether master or servant, man or woman, adult or child, white or black – 'as *subjects* of the king;... bound by the king's laws and... entitled to the king's protection' (Davis, 1992: 94, original emphasis). It was the colonial slaveholder's *unrestrained* power over the slave that was understood as wrong.

Thus, William Wilberforce could campaign against the slave trade, hoping that its abolition would encourage 'a disposition to breed instead of buying' amongst the planter class of the West Indies, as he put it in a diary entry in 1818 (Jordan 2005: 180), rather than bringing an immediate end to slavery. In the struggle for the meaning of freedom, Wilberforce made clear that he could not bear to leave 'these poor creatures sunk below the level of their species', and did not deny that he wished to 'impart to them the blessings of freedom'. He was quick to add, however, that the freedom he meant was 'that, of which, at present, they, alas! are not capable' (Debate 1792: 9).

Wilberforce was not the only antislavery thinker, however, and those who spoke against slavery in the eighteenth and nineteenth centuries were a heterogeneous group in terms of their reasons for condemning it and their hopes regarding what would follow its abolition. Wilberforce looked forward to a hierarchical but paternalistic post-slavery social order in

which every person observed their religious obligations towards God, and towards their social inferiors and superiors, but the antislavery cause also had supporters who envisaged a world in which workers would suborn themselves to the demands of a capitalist free market, rather than those of tradition. They made the case against chattel slavery as a case *for* a market in free wage labour. In the aftermath of the Civil War, American opponents of slavery were often quite explicit about the fact that freed slaves must learn to accept the dominion of employers under the system of free wage labour, and keenly instructed the emancipated on how to abide by 'the new rules of the game: the new requirements and responsibilities of contracting on the one hand, and the new compulsions of necessity and self-discipline on the other' (Berlin *et al*, 1986: 117). This returns us to Davis' contention that antislavery sentiment was able to take hold when and where it did because it 'reflected the needs and values of the emerging capitalist order' (1992: 71).

But in addition to those whose opposition to slavery was grounded in an uncritically positive regard for the market and free labour, Chartists, feminists, and other radical political thinkers, some of whom were themselves fugitive slaves, vigorously campaigned against slavery in the US and Europe. These different groupings of anti-slavery actors were divided on the question of how abolition should be achieved (immediately, gradually, or, in the US context, by means of sending American slaves to colonies in Africa, the Caribbean, and/or Central America), and did not share a common political platform beyond the legal abolition of chattel slavery. Even the views of the radicals were not all of a piece. There were significant divisions between them on issues that would today go under the headings of race, gender, and class (Caleb McDaniel, 2013; Kendi, 2016).

Last but far from least, we should remember that ‘the first major breach in the hugely important systems of slavery to the Americas was opened, not by English or American abolitionists, but by Jacobin revolutionaries and the black peasantry of Saint-Domingue/Haiti’ (Blackburn, 2011: 176; James, [1938] 2001; Bhambra, 2016). The Haitian Revolution was a ‘turning point in history’, Davis (2014: 46) observes, and quotes Frederick Douglass’ speech dedicating the Haitian Pavilion at the Chicago World’s Fair in 1893, in which he remarked that until Haiti spoke:

no Christian nation had abolished Negro slavery... Until she spoke, the slave trade was sanctioned by all the Christian nations of the world, and our land of liberty and light included... Until Haiti spoke, the church was silent and the pulpit dumb.

In Britain and America, support for the anti-slavery cause was undermined by the Haitian Revolution in the first decade of the nineteenth century, with abolitionists ‘increasingly portrayed as inciters of violence’, and the abolitionist movement ‘virtually disappeared’ in France (Davis, 2014: 50). More generally, the Haitian Revolution proved, and continues to prove, difficult to fit into the mainstream white liberal narrative of slavery’s abolition.

Through the lens of anti-black racism, the Revolution itself appeared as unthinkable and impossible, and was therefore condemned to silence, pushed into the past, but never given a history. The enslaved, even as they showed themselves to be ‘entities that are fit to reason and manifest socio-political agency’ (Jean-Marie 2013: 256) were inserted into history rather than understood and recognized as making it (see also Fischer 2004).

When considering the historical movement from a world in which slavery was regarded as an unalterable feature of human society to one in which it is universally condemned and outlawed, Haskell’s (1998) question of what prompted the rise of humanitarian sensibility

amongst (some) propertied white European and Americans, allowing them to feel moral responsibility for the suffering of distant strangers, is not the only one that needs to be addressed, then. White propertied Europeans and Americans were not the only actors involved in actions against slavery. Black men and women (enslaved, fugitive, freed and free), for whom the suffering of slaves was not socially, geographically or temporally remote, also fought to bring slavery down. And not all white antislavery actors positioned the enslaved as distant Others in need of humanitarian rescue – some believed that the struggle for liberation from slavery was intimately bound up with their own struggle for freedom (from colonial, class or male rule).

However, in popular European and North American memory, the politically and socially diverse actors who were involved in antislavery campaigns and actions - including revolution - in the eighteenth and nineteenth centuries have been homogenised and slotted into a dominant narrative of Western history 'in which acts of abolition and proclamations of emancipation completed a historical movement from the dark ages to Enlightenment that had been in process since the seventeenth century' (O'Connell Davidson, 2015: 13; Wood, 2011; Carey and Kitson, 2007; Paton, 2009). This is a narrative in which legal acts of abolition are equated with 'freedom', and chattel slavery is relegated to the past. Attention to race as a system of domination leads to a rather different story.

Abolition and the Race of Freedom

Before abolition, 'the fact of blackness, the story of "negrosity" in the law' was one in which those racialized as black were 'caught in the impossible position of being object of circulation and subject who is only recognized as such by the law in matters criminal' (Bhandar 2014: 218). This did not end with slavery. Indeed, the anti-black racist ideology that developed

alongside slavery was, if anything, strengthened following its abolition. In the US South, for example, while the legal machinery of slavery existed, race was constituted a hereditary, caste-like, social marker. Dismantling the institution of chattel slavery threatened to simultaneously undo the legal, social, and political mechanisms through which racial difference and hierarchy were produced, policed and perpetuated, thereby eviscerating whiteness of its privilege (O'Connell Davidson, 2015). Though some, both black and white, pursued a radical reconstruction of the Southern political and economic order and achieved some impressive successes (Foner, 1990), ultimately such reconstruction was effectively, often murderously, resisted by white Southerners seeking to preserve the racial hierarchy of the ante-bellum period. White supremacy was maintained in a post-slavery US by mechanisms that differentially restricted and allocated the norms of citizenship by race. These included the Black Codes, Jim Crow, anti-miscegenation laws,ⁱⁱ and the post-Civil War southern convict lease system, a system that Angela Davis (2003) observes 'transferred symbolically significant numbers of black people from the prison of slavery to the slavery of prison' (see also Haley, 2016; LeFlouria, 2016). In the words of W. E. B. Du Bois (1992: 30), 'The slave went free; stood a brief moment in the sun; then moved back again toward slavery'.

In her book tracing the history of the Atlantic slave trade, Saidiya Hartman (2007: 133) observes that:

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

With its vision of blackness as implying criminality, animality, irrationality, and dependence, the anti-black racism spawned by transatlantic slavery continues to disfigure, and often also prematurely and violently end, black lives. In the United States (and in a number of Latin American and European countries) transatlantic slavery's 'afterlife' is a present in which those racialized as black are disproportionately liable to be imprisoned, killed by the police, and deported (Alexander, 2011; Black Alliance for Just Immigration, 2016; Golash-Boza, 2012; Childs, 2015). The 'particular character of slavery's violence is ongoing and constitutive of the unfinished project of freedom', as Stephen Best and Saidiya Hartman (2005: 10) put it. The process of emancipation after 1865 produced 'national innocence' and at the same time 'enhanced the degradation of the past for those still haunted by... the vestiges [of slavery]' (Hartman 1997: 133). And yet, as Jared Sexton (Chapter 12) notes, the restraints on freedom that are engendered by anti-blackness are as uncannily absent from new abolitionist talk of 'modern slavery' as they are relevant to the contemporary distribution of freedom and unfreedom.

The history of slavery between the fifteenth and twentieth centuries is a great deal more complicated and variable than is popularly assumed. There were significant variations between colonial slave regimes in North America, Latin America and the Caribbean in terms of legal and social practices surrounding slavery (Blackburn, 2011; Rinehart, 2016); there was an Indian Ocean as well as a transatlantic trade in slaves from Africa (Collins, 2006; Williams, 2016); slavery existed on the continent of Africa itself (Hartman, 2007; Bellagamba *et al*, 2016). The links between slavery, race, abolition, and freedom play out in different ways in different regional contexts (see, for example, Colosio, 2016) and the specific form of anti-black racism that so powerfully shapes the experience of those racialized as black in North America and Europe does not necessarily feature in every post-slavery society. However,

efforts to protect the whiteness of citizenship were a constant theme in European settler colonies, and this links to another sense in which legal acts of abolition did not eradicate, merely led to mutations in, the systems of domination set in place to support Atlantic World slavery. The new abolitionists' insistence on not seeing race in modern slavery reflects their refusal to 'grapple with the ways the past in lived' (Balfour 2005: 802) in these many different contexts, and a failure to recognise 'the continuities of slavery and freedom as modes of domination, exploitation, and subjection' (Hartman 1997: 172). The contributions to this volume call our attention back to these continuities, which are particularly important in the contexts of mobility and migration.

Abolition and Restraints on Freedom of Movement

Since enslavement did not literally transform human beings into objects or things, the enslaved retained the capacity to flee their oppressors. And because slaveholders often had an economic interest in permitting their slaves a certain amount of mobility (allowing them to run errands, transport produce, move between workplaces, hunt for their own food, accompany their masters on their travels, etc.), the enslaved were also often presented with opportunities for escape. To enjoy the property they held in slaves, then, slaveholders relied on the state and slaveholding community to operate a legal system that strictly controlled and constrained the 'physical and social mobility of enslaved people' (Camp, 2004: 12). There were fences, walls, slave patrols, pass systems, check points, and laws that criminalised those who offered fugitive slaves succour or assistance, as well as providing brutal punishments for recaptured runaways. While there were enslaved people who managed to evade these controls, sometimes forming 'maroon' communities and sometimes escaping to free territory (Price, 1979; Midlo Hall, 1998; Camp, 2004; Roberts, 2015), the price of attempting to claim

freedom in this way was extraordinarily high. To fail was to face torture, mutilation and re-enslavement. To succeed was often to face a life in exile from children and other kin and loved ones (Wong, 2009).

Slavery's abolition did not spell an end to restraints on freedom of movement. In the US, the Southern system of peonage relied heavily on vagrancy laws that prevented many people racialized as black from escaping a set of social and labour relations closely resembling chattel slavery (Novak, 1978). In Barbados, as Alana Johnson's (2016) research reveals, planters' efforts to force the newly emancipated into the same conditions they had endured when enslaved were supported by laws designed to prevent the formerly enslaved from migrating to British Guiana to seek work on better terms. More generally in the British Empire, it had long been recognised that the abolition of slavery would provoke a shortage of labour in many of its colonies. The solution to this problem was a system of indentured labour, the 'coolie system' (see Sharma, Chapter 5). Between 1834 and 1937, more than 30 million people are estimated to have left India as indentured workers, travelling to Mauritius, Guiana, Jamaica, Trinidad, Fiji, Kenya, Uganda, South Africa and other destinations, and at least another 5 or 6 million workers from other parts of Asia, in particular China, were 'employed under the coolie system to build infrastructure and to produce goods for the world market either on the plantations or in the mines' (Potts, 1990: 70-1). Once in situ, the mobility of those workers transported under this system was heavily restricted, by means virtually identical to those employed to control slave mobility, including pass systems to leave plantations.

Alongside these large-scale movements controlled by colonial states under emigration legislation, however, colonial subjects began to take advantage of opportunities to travel

independently within the British Empire. And when 'masterless' Chinese and Indian migrants travelled to what were deemed to be white settler colonies (Australia, Canada, South Africa), their freedom to move came to be regarded as a problem in need of a solution. Just as race marked the line between those human beings who were and were not fit to bear 'the rights of man' in the post-abolition US, so it demarcated those who could and could not 'belong' to the nations 'invented by the bourgeoisie' (Cesaire, 1972). In fact, it was the freer movement of peoples deemed to be racial Others following the abolition of slavery that generated 'a state monopoly over migration practices and, via the passport... [created] the specifically modern imbrication of the state, the nation, and race' (Mongia, 1999: 528). The justification for excluding Indian and Chinese subjects of Empire from white settler countries was framed 'in terms of national sovereign rights – and conversely the definition of sovereignty as a matter of border control' (Lake, 2014: 101). This framing has now been generalized around the world with disastrous consequences for the rights and freedoms of many groups of migrants. Immigration controls disproportionately restrict the freedoms of people of colour in contemporary affluent liberal states, and are very much a part of the future created by transatlantic slavery. It is precisely when migrants' freedoms are restricted in these ways that they become vulnerable to the forms of exploitation and violence that are dubbed 'modern slavery' in dominant discourse on the topic. Yet the rights that contemporary states grant themselves to control movement across their borders go unchallenged by the new abolitionists.

The narrative of liberal modernity as the progressive unfolding of liberty, and of abolition as bestowing freedom, has been subject to extensive and powerful critique from postcolonial, critical race, feminist and other radical theorists (see, for example, Mills, 1998; Bhambra, 2007; Noble, 2017). Such critique has not, as yet, dented the hegemonic hold of 'the

mythology of emancipation' (Wood, 2007: 19), a mythology that is reproduced in new abolitionist discourse and subjected to critical scrutiny by the contributors to this volume.

From Anti-Slavery to Anti-Slavery-by-Another-Name: Problems of Definition

Efforts to define slavery and identify its unique wrongs have long provoked scholarly dispute amongst classicists, philosophers, political theorists, anthropologists and sociologists (see, for instance, Finley, 1964; Kopytoff, 1982; Patterson, 1982; Meillassoux, 1991; Lott, 1998). The definitional conundrums surrounding the term 'slavery' have been, and remain, far from academic for anti-slavery activists, however. The passage of legislation against slavery by European colonial powers and in the US complicated rather than spelt an end to anti-slavery activism, making its object less certain. On the one hand, there were questions about practices traditional in colonised settings that were not named 'slavery' and yet looked, through Western eyes, to be very close to it. On the other, there were questions as to whether Western powers were themselves outlawing chattel slavery only to replace it with equally oppressive labour regimes (Quirk, 2011). Was the 'coolie system' of indentured labour with which the European powers replaced slave labour in their plantation economies and powered the expansion of extractive industries and construction projects a new form of slavery (Tinker, 1972; Cohen, 2006; Sharma, this volume)? Were the systems by which labour was exacted from newly colonised peoples in Africa slavery in all but name (Nzula et al, 1979)? Was Du Bois right to describe freed slaves and their descendants in the US as having moved back towards slavery?

Such questions made it increasingly clear that abolishing chattel slavery as a juridical status did not automatically banish from the world everything that all the various abolitionists had argued was intolerable about slavery. Early twentieth century anti-slavery activists therefore

pressed for more expansive legal definitions and political understandings of the term slavery. As a result, the League of Nations' *Slavery Convention* (1926) not only offered a definition of slavery as 'the status of a person over whom all or any of the rights attaching to ownership are exercised' (in other words, a definition that fitted with what had, till then, generally been understood as 'chattel slavery') but also required states to bring about the complete abolition of slavery 'in all its forms'. It did not, however, list or explicate the different forms that slavery could take, nor did it clearly elucidate the difference (if any) between slavery and forced labour. Forced labour was subsequently defined by the ILO's 1930 Forced Labour Convention as 'all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily'.

The United Nations' *Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery* (1956) later fleshed out the meaning of 'all forms' of slavery by expressly recognising that certain 'institutions and practices similar to slavery' may be 'covered by the definition of slavery contained in article 1 of the Slavery Convention of 1926'. The institutions and practices it recognized were debt bondage, serfdom, and various practices around children and marriage. All of these present their own problems of definition, as illustrated by chapters in this volume on the social meanings of debt, forced labour, child labour, child marriage and cross-border marriages, which uncover the space between not-slavery and freedom, and expose the risks of relying on broad dichotomies of choice and force. Moreover, aligning 'slavery' with institutions and practices similar to slavery opened up possibilities for further extending the reach of the concept, and the 1956 supplementary convention was followed by 'a whole slew of further conventions and declarations, many of them overlapping', that add to the list of phenomena discussed under the rubric of 'contemporary slavery', including the UN Convention on the Rights of the

Child (1989) (Miers, 2004: 716-7). There are also some who lobby for the extension of the term slavery to female circumcision, female prostitution, and even abortion (Guenther, 2012).

Contemporary anti-slavery activists face a dilemma. They do not wish to restrict the term 'slavery' to the forms of legally or socially recognised chattel slavery that have now been universally outlawed. But nor do they want to see the term inflated to incorporate anything and everything that is judged oppressive, exploitative or immoral. For them, there is a distinction between metaphorical and *true* slavery in the contemporary world, and their struggle is against the latter, not simply against conditions that some may figuratively liken to it. Real slavery, Bales argues, is an obscenity, 'more closely related to the concentration camp than to questions of bad working conditions' (Bales 2012: 7-8). And, as illustrated by Walk Free's *Global Slavery Index*, they are confident that the line between the two is clear enough that it is possible to count the number of people trapped in 'modern slavery' around the globe. How? The statistics produced and circulated by anti-slavery campaigners are largely generated by totting up estimates of people thought to fall into categories such as 'bonded labour', 'forced labour', 'worst forms of child labour', 'early and forced marriage', and 'human trafficking', which are imagined to describe practices that are 'sufficiently horrendous and /or analogous' to be classified as slavery (Quirk 2006: 578).

Yet as will be seen in contributions to this volume, all of these categories present their own definitional problems. Take 'trafficking', for example. Efforts to produce a definition for the *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (which is supplementary to the *Convention on Transnational Organized Crime*, 2000) provoked enormous controversy (Doezema, 2010), and consensus was finally achieved at the

expense of precision. The Protocol defines 'trafficking' not as a single, one-off event, but a coercive *process* that takes place over time (recruitment, transportation and control) and that is organised for purposes of exploitation.ⁱⁱⁱ 'Exploitation' remains undefined, and the process of trafficking can be organised in a variety of different ways. Moreover, though 'trafficking' is routinely described as 'modern day slavery and slave trading' in political and antislavery NGO rhetoric (US Department of State, 2003), the UN Protocol actually lists slavery as but one of a number of possible outcomes of 'human trafficking'. In other words, 'trafficking' does not necessarily lead to slavery, according to the Protocol (Chuang, 2013).

'Trafficking' can also intersect with what states categorise as other forms of movement, including 'smuggling' and 'asylum seeking' (Anderson and O'Connell Davidson, 2003). Still more problematic for those seeking to count the world's 'modern slaves', the category 'victim of trafficking' overlaps with other categories taken as proxies for slavery. The same individual could be identified as being a trafficked person, and a bonded labourer, and subject to forced labour, and subject to a worst form of child labour, for instance. This is only one of many technical problems associated with the compilation of data on these proxy categories. Others arise from the fact that such data are gathered in different countries, by different agencies, and for different purposes, and so are not necessarily comparable (Andrees, 2014; Broome and Quirk, 2015; Ghallagher, 2016).

An even more fundamental problem is that none of the categories used as proxies for 'modern slavery' straightforwardly match the definition of 'slavery' offered by anti-slavery NGOs and activists. For example, writing of 'slavery' in the abstract, Kevin Bales (1999, 2005) states that it is comprised of three essential ingredients: involuntariness (the slave is totally controlled by the slaver and cannot walk away); non-payment or payment covering just bare

subsistence; and violence or its threat. Walk Free (2016) simplifies that definition further by stating that 'slavery' refers to 'situations of exploitation that a person cannot refuse or leave because of threats, violence, coercion, abuse of power or deception.' But what kind of obstacles to refusing or 'walking away' do anti-slavery campaigners count as the contemporary equivalent to slavery? They appear to be highly selective and not always consistent in this respect. When it comes to children in what the ILO terms 'worst forms of child labour', for instance, Walk Free includes them as 'slaves' even though, as Samuel Okyere shows in Chapter 9, such children do not necessarily work without pay, and are not necessarily violently coerced into the work by a third party. For many, the obstacle to 'walking away' is that if they did so, they would be unable to pay their school fees, and/or buy food, clothing, or items necessary to make the transition to adulthood, and/or to support their dependents or contribute to their household's economic survival (Hashim and Thronsen, 2010; Howard and Morganti, 2015).

When the focus is on adults, however, such economic compulsion is not regarded as sufficient to make a 'slave'. 'We're not talking about bad choices, we're not talking about crummy jobs in a sweatshop', Bales said when interviewed about Walk Free's 2013 Global Slavery Index, 'We're talking about real life slavery — you can't walk away, you're controlled through violence, you're treated like property'. Yet when state actors deprive adults of their liberty and contain them by means of threatened and actual violence through imprisonment and immigration detention, they are not automatically counted as 'slaves' by anti-slavery organisations like Walk Free and Free the Slaves. Those held captive by the North Korean state and the People's Republic of China are described as slaves, but immigration detainees and prisoners in Western liberal states are not, even when they are held in for-profit

facilities, and even when their labour is exploited for profit (O'Connell Davidson, 2015; LeBaron, Chapter 6 this volume).

Contributions to this volume by Caroline Grillot (Chapter 8) and Srila Roy (Chapter 11) highlight the fact that new abolitionist discourse on restraints on women's freedoms is also selective. Forced marriage and bride trafficking is identified as a form of 'modern slavery' affecting women in the Global South and ethnic minority women in the Global North, but domestic violence affecting white women in Europe, North America and Australia is not, even though the women affected are frequently unable to leave the situation because of threats, violence, and coercion.

Tryon Woods (2013) has observed that 'trafficking' and 'slavery' are depicted as part of the fabric of everyday life in Nigeria's Edo delta, apathetically accepted by the local people who lack the determination to address the problem. This focus, he continues, disregards how the state has been eviscerated by the multinational energy industry, and provides no political economic context that would link colonization to the present (or to the past and the future). Indeed, the 'gesture to poverty as a cause of trafficking is a component of the cultural racism thesis', suggesting that it is African cultural deficiencies that produce predatory economic processes, which in turn cannot support civilized democracies (Woods, 2013: 124). By representing 'modern slavery' as a mundane feature of Other societies, new abolitionist discourse works to dehistoricize and depoliticize the forms of exploitation that it claims to address. Rooted in the liberal narrative of advancement, this is a rhetoric that 'reproduces a disabling historical amnesia' (Woods, 2013: 126).

From a policy perspective, one of the most troubling outcomes of this amnesia regarding the history of colonization and its legacies, and of blindness to global political and economic

structures, is that it licenses and encourages measures that further restrict the choices open to people at the sharp end of structural inequalities. Indeed, the language of slavery invites interventions to redeem or rescue 'slaves', and to abolish or ban the forms of work or mobility where 'slaves' are found, rather than interventions to extend rights and protections to people *as* workers, migrants, child labourers, wives, and so on. The 'slave' of the liberal imaginary has no voice to be heard, no dignity to be respected, no will or agency to author her or his own life-course.

The Problem of Agency

Vincent Brown (2009: 1235) has remarked that studies of transatlantic slavery 'often divide between works that emphasize the overwhelming power of the institution and scholarship that focuses on the resistant efforts of the enslaved.' The latter approach frequently rests upon what Walter Johnson (2003: 115) describes as a 'misleading entanglement of the categories of "humanity" and (liberal) "agency",' through which 'the bare fact (as opposed to the self-conscious assertion) of enslaved "humanity" has come to be seen as "resistance" to slavery'. However, the former can reproduce an equally problematic vision in which the bare fact of slaves' objectification as legal property comes to be seen as erasing their volition and free will, and so *literally* de-humanizing them (O'Connell Davidson, 2015; Rinehart, 2016).

Slavery, as much as any other social phenomenon, presents us with the problem at the heart of all sociological enquiry, namely the relationship between structure and agency.

The problem is made all the more politically troubling by the racialization of the categories of freedom and agency as white in dominant liberal thought, for these are the categories through which the normatively human was, and is still, imagined and socially recognised. In this context, it is difficult to stress the restraining violence of slavery without suggesting that

its victims were reduced to mere bodies, the passive objects of structural forces, and therefore also hard to avoid reproducing the racist association between blackness, dependency and dishonour. And yet to attempt to counter this by emphasising the agency, courage and ingenuity of those who led or participated in revolts and revolution, or who made daring escapes from slavery, also carries its own risks. What space does it leave to acknowledge the quiet valour of those women, men and children who somehow managed to make their lives within the confines of the institution (Brown, 2009; Wong, 2009)? And what kind of moral judgement does a story in which the enslaved were heroes pass on those who capitulated to, or were even complicit with, the power of slaveholders? Where do slaves who served as soldiers and suppressed the revolts of other slaves fit in these stories (Buckley, 1979; Morgan and O'Shaughnessy, 2006; Lambert, 2016; Lott, this volume)? What of the slaves who exercised de facto powers of ownership over other slaves, or bought their own freedom by accepting the role of overseer or even executioner with regard to other slaves, or the maroons who secured the safety of their own community by assisting in the capture and return of other fugitives (Price, 1979; Beckles, 1987; Midlo Hall, 1998)?

Such theoretical, ethical and political dilemmas are equally, if not more, marked in relation to the contemporary phenomena discussed under the heading 'modern slavery', not least because of significant differences between past and present. Unlike transatlantic slavery, what is today described as 'slavery', in the vast majority of cases, follows from an arrangement that was initially actively desired and pursued by the individual concerned.

Whether we are talking about people accessing credit to be able to feed their family or fund their labour migration, or setting off on journeys either to escape desperate circumstances or to pursue a dream, or taking up a job offer, we are not talking about human beings snatched, manacled and transported as *objects*. We are talking about people moving as *subjects*, albeit

subjects whose choices are framed by the limited alternative options open to them.

Anti-trafficking and anti-modern slavery discourse hinges on an imagined line between those who have actively chosen to move and consented to the type of work they will undertake and the conditions under which it will be undertaken (cast as agents), and those who have been tricked, cheated, bullied and trapped (cast as non-agential victims). It conceives of migrants, child labourers, debtors, wives and sex workers, as *either* willing selves, acting on the basis of their own freely made choices, *or* as forced to submit to the will of another. 'Modern slaves' are described as having 'lost' their agency along with their freedom. One problem with this is that it transports us onto territory that is profoundly gendered and aged: adult men are regarded as almost by definition authors of their own destinies, whereas women and children's grip on their own wills is understood to be already fragile and tenuous. They are readily imagined in the garb of victimhood. Another is that it reflects a preoccupation with the form of compulsion produced by the exercise of direct, personalistic power, and so a very narrow and distinct understanding of 'force'. It reproduces a liberal vision of a world in which people are *either* abject, passive objects and slaves *or* freely contracting subjects, thereby missing the unseen, structural factors that force fates on men as well as women and children under the social relations of capitalism. It privileges a very particular kind of 'freedom' – what G. A. Cohen described as the 'the bare bourgeois freedom which distinguishes the most abject proletarian from the slave' (1995, 101).

Yet the liberal model of people as *either* objects *or* subjects also works to obscure the agency that people (women and children as well as adult men) exercise in choosing between the narrow range of fates available and working them as best they can to meet their own interests and goals. In this regard, neither Marxist nor feminist critiques always provide a

clear counterpoint (O'Connell Davidson, 2015). Representations of exploited workers of the Global South found in some Marxist writings, and of female migrant sex workers found in radical feminist writings, can sometimes look uncomfortably like the representations of 'victims of trafficking' and 'modern slaves' found in dominant liberal discourse. But when other commentators react against this by celebrating the action of such workers as a form of resistance against the exclusionary forces of neoliberal capitalism or patriarchal norms, it returns us to the dangers of entangling 'the categories of "humanity," "agency," and "resistance",' that Walter Johnson (2003: 115) identifies.

It is important to remember Marx's basic insight about the relationship between structure and agency – people make history, but not in circumstances of their own choosing - and to connect that to a different vision of the relation between agency and force, one that recognizes the human will as inalienable, and approaches agency 'as the capacity to act – differential, context specific, and always, in some fashion extant', as Svati Shah (2014: 199) puts it. The chapters in this volume on migration and domestic work (Mark Johnson), child labour (Okyere), and marriage (Grillot) all work with such a model of agency, exploring the ways in which agency is relationally constituted and related to the idea of 'compulsion by necessity'. They are based on ethnographic studies that do not reduce their research subjects to abject victims and suffering bodies, nor romanticize them as 'heroic subalterns'. They do not insist on a gendered and aged division between willing subjects or will-less objects, or attempt to correct for this by seeking to find liberalism's rugged individual subject wherever they look.

Volume Themes and Structure

The slave of contemporary antislavery concern, as much as the slave of antislavery discourse of the eighteenth and nineteenth century, remains a figure who illuminates the difference between 'a progressive modernity and its stagnating Others' (Purtschert, 2010: 1049).

'Modern slavery' talk tells us much more about liberal understandings of modernity and Otherness than it does about the lived experience of those it names as 'slaves' (Kempadoo, 2015). It shines a light on the way in which liberal modernity is imagined against particular understandings of race, nation, gender, labour, property, and freedom, all of which are core concerns of this book.

Approaching slavery as both a symbolic and a substantive issue, this volume is concerned with how slaveries were bound up in European imperialism, colonialism and sovereignty in ways that continue to play out in the multiple and complex afterlives of slavery (Bhambra and Shilliam, 2009; Hartman, 2007; Bellagamba, 2015). Its first section addresses the philosophical, theoretical and definitional problems presented by the term 'slavery' and its imagined opposite, 'freedom'. Tommy Lott explores the historical development of the discourse in which slavery appears as uniquely and self-evidently morally wrong. He elucidates the overlaps between, on the one hand, various forms of slavery in the ancient and modern worlds, and on the other, servitude and other forms of drudgery in the same societies, highlighting the implications of these overlaps for analyses of phenomena grouped under the heading of 'modern slavery'. Mary Nyquist then examines the historical distinctions, dating back to the ancient world, between 'slavery' as a rhetorical figure and slavery as an economic institution; and between figurative 'freedom' and the privileges that actually did (or did not) attach to being legally 'free'. It is only when these different registers of 'slavery' and the complex relations that have developed historically between them are open to view that we can appreciate the ways in which 'slavery' past shapes the present in

which we live, including its contribution to the white supremacist discourses inaugurated by Euro-colonialism.

Continuing Lott's concern with the overlaps between slavery and other systems of domination, Charlotte Sussman begins from the observation that European migration into indentured servitude in the Americas in the eighteenth century entailed such heavy and serious restraints on freedom that it is mistaken to imagine it as the opposite of slavery. Rather, 'slavery was the limit case at one end of a continuum of coerced movement and servitude'. Through a particular focus on the use of the term 'exile' to describe both emigrants and slaves, her chapter elucidates the way in which slavery and European migration came to be imaginatively untangled. Sussman suggests that the British Empire's dependence on the mobility of devalued populations, such as landless labourers, emigrants and soldiers, necessitated the creation of the concept of 'freedom of movement,' and illuminates the role of abolitionist discourse in constructing that ideal.

Nandita Sharma's contribution takes as its starting point two ordinances regulating and restricting human migration by the local Council of the British colony of Mauritius, passed in 1835, soon after Britain's 1833 *Slavery Abolition Act*. These ordinances, she argues, 'were the beginning of the end of the regime of unrestricted human mobility of co-imperial subjects within the British Empire'. By detailing how a large-scale, state-controlled system of regulating and restricting the movement of workers emerged, Sharma reveals the 'coolie' labour system as the bridge between what Radhika Mongia calls the imperial-state 'logic of facilitation' and the nation-state 'logic of constraint' of human mobility. That national 'logic of constraint' on human mobility remains central to the reproduction of world capitalist markets for exploitable bodies, and yet it is left almost entirely uncontested in state- and

NGO-driven discourse on 'trafficking' and 'modern slavery'. Today, as in past talk of 'protecting coolies', she concludes, the discursive practices of 'anti-trafficking' spectacularly fail the needs of people by failing to call for their free mobility across space and their freedom within nationalized labour markets.

The second section of the book moves to detailed studies of some of the present-day phenomena discussed under the heading of 'modern slavery'. It draws out the historical and political complexities and ambiguities of slavery by paying attention to contexts where the line between slavery and freedom has long been, and remains, most elusive. Through a focus on imprisonment (LeBaron), migrant domestic work (Johnson), marriage (Grillot), and child labour (Okyere), contributors examine restraints on freedom that are socially sanctioned, as well as those often dubbed 'modern slavery', and reflect on slavery and freedom as relative, not essential, categories. In this section, the problem spaces in between slavery and freedom are laid bare, as contributors explore the fuzziness of the lines between categories, the 'choice by default' (Grillot) that emerges from thinking about the complex and ambiguous realities of life worlds shaped by the pasts, presents and futures of slavery.

The final section is oriented to the future. It considers antislavery activism past and present in relation to other political projects seeking to transform systems of domination, namely, — class (Howard), — gender (Roy), — and race (Sexton). These — contributions remind us both that calls to end 'slavery' are not the same as calls for freedom, and that the dominant ideal of universal human freedom today is rooted in interlocking histories of slavery, capitalism, patriarchy and colonialism. It is an ideal of freedom that has separated and continues to separate 'some people whose liberties matter from others not to be included in that favoured category' (Sen 2009: 116), and that remains capable of producing unfreedom

in its own name (Roy, this volume). In a world that is built upon but refuses to remember racial slavery, abolition is 'a protracted, perhaps interminable, process' (Sexton, this volume).

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ⁱ The Bill came into law in 2015.

ⁱⁱ Emancipation made interracial marriage and 'miscegenation' into urgent political questions in the US. They formed an important part of the ground on which the question of 'what freedom would for former slaves was to mean, what sort of citizenship African Americans would possess, what power they would hold relative to other free people' was debated (Rosen, 2005: 291).

ⁱⁱⁱ The UN Trafficking Protocol defines trafficking as:

The recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

The Protocol further provides that the consent of a VoT to the intended exploitation is irrelevant where any of the means set out above have been used.