

America: Slavery's Poison Pill

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Uncontroversial (Until America)

Of all the tragic facts about the history of slavery, the most astonishing to an American today is that, although slavery was a worldwide institution for thousands of years, nowhere in the world was slavery a controversial issue prior to the 18th century. People of every race and color were enslaved – and enslaved others. White people were still being bought and sold as slaves in the Ottoman Empire, decades after American blacks were freed. Everyone hated the idea of being a slave but few had any qualms about enslaving others.

Slavery was just not an issue, not even among intellectuals, much less among political leaders, until the 18th century – and then it was an issue only in Western civilization. Among those who turned against slavery in the 18th century were George Washington, Thomas Jefferson, Patrick Henry and other American leaders. You could research all of the 18th century Africa or Asia or the Middle East without finding any comparable rejection of slavery there. But who is singled out for scathing criticism today? American leaders of the 18th century.

Deciding that slavery was wrong was much easier than deciding what to do with millions of people from another continent, of another race, and without any historical preparation for living as free citizens in a society like that of the United States, where they were 20 percent of the population.

It is clear from the private correspondence of Washington, Jefferson, and many others that their moral rejection of slavery was unambiguous, but the practical question of what to do now had them baffled. That would remain so for more than half a century.

In 1862, a ship carrying slaves from Africa to Cuba, in violation of a ban on the international slave trade, was captured on the high seas by the U.S. Navy. The crew were imprisoned and the captain was hanged in the United States – despite the fact that slavery itself was still legal at the time in Africa, Cuba, and in the United States. What does this tell us? That enslaving people was considered an abomination. But what to do with millions of people who were already enslaved was not equally clear.

That question was finally answered by a war in which one life was lost [620,000 Civil War casualties] for every six people freed [3.9 million]. Maybe that was the only answer. But don't pretend today that it was an easy answer – or that those who grappled with the dilemma in the 18th century were some special villains when most leaders and most people around the world saw nothing wrong with slavery.

Incidentally, the September 2003 issue of National Geographic had an article about the millions of people still enslaved around the world right now. But where is the moral indignation about that?

(Excerpt from the Thomas Sowell Reader)

Source: <https://www.aei.org/carpe-diem/thomas-sowell-on-slavery-and-this-fact-there-are-more-slaves-today-than-were-seized-from-africa-in-four-centuries/>

Slavery Persists Today

No one speaks in favour of modern slavery, and slavery has no real friends. At best, it can be said that slavery has temporary acquaintances, people who rely on slavery for short term profit.

No country or business can build its future on slavery. Indeed, slavery thwarts economic empowerment and puts a ceiling on growth.

All sides of politics are unified behind this point, a rarity in today's fractured policy landscape. Likewise, business has led its own reform and has shown its willingness to work with government in joint endeavours. The leaders of all faiths have come together and shared their common abhorrence of slavery in their teachings.

Still, despite this leadership many continue to benefit from this often invisible crime, or resign themselves to accepting modern slavery as an inevitability.

Modern slavery is a human condition of our own making which can be ended by concerted action. It is a multi-billion dollar transnational criminal business which, on any one given day in 2016, ensnared 40.3 million people.

The scale of this truly global and abhorrent practice is staggering and will not be rectified until there is significant cooperation between business and government. One of the first areas to address is rooting out slavery where it exists in supply chains, be they of major businesses or governments.

Many governments are the biggest buyers of goods and services in their countries. Public procurement represents, on average, around 12 percent of a country's GDP and it is estimated to be in the order of the GDP which equals to US\$1.6 trillion worldwide.

While some governments are setting reporting requirements for corporations, there are a paucity of measures directed at minimising the risks of modern slavery in public procurement in these policy responses. Governments need to get their houses in order.

This is a failure of leadership and an insult to business, which is tasked with meeting high expectations by policy makers who fail to measure themselves to the same standards. Continued inaction by governments exposes them to enormous reputational risk and economic consequences.

Thankfully, there are green shoots of progress. This year's Global Slavery Index finds 36 countries are taking steps to investigate forced labour in business or public supply chains, up from just four countries in 2016. Of the 36 countries, 25 are taking steps on government procurement. And there is no reason why the figure can't be higher.

The countries which collaborate beyond their own borders to adopt regional approaches to stamp out slavery will be rewarded with stronger societies, robust trade, and sustainable growth. Those that take steps to clean up labour issues at home will send the best possible signals to the investment world.

For investment destinations that are both accountable and attractive, there is almost no shortage of capital available. As more is learned about slavery, and how to measure it, investors will increasingly steer clear of opportunities that come with exposure to slavery risk. Business leaders are

acutely aware of the attractiveness of certain investment destinations and often labour issues and other social problems are serious deterrents to new ventures.

In the short term, slavery may fill criminals' pockets with illegal profits, but in the long-term, the national profits of a country that allows slavery to thrive will be dragged down. Economic empowerment is the key to long term growth and so it is no surprise that slavery, more than many other factors, cruels sustainable development.

As scrutiny increases down the long tail of multi-national companies' supply chains, countries that continue to allow modern slavery within their borders are at ever increasing risk of tarnishing their reputation and losing out on trade.

But slavery is not just a problem for developing countries seeking investment.

The great challenge with modern slavery is that not only is it hidden within the depths of criminal networks that are trafficking people for exploitation, but modern slavery also occurs where mainstream industries meet informal economies.

Slavery exists in all corners of the planet and touches us all through trade and consumer choices.

Businesses and governments in G20 countries are importing masses of products that come with significant risks of being produced using modern slavery.

By providing decent work or demanding their suppliers and contractors do, companies are investing in the futures of communities. Profits and purpose are not mutually exclusive. In the long term, everyone loses out from slavery.

We have a tremendous opportunity to capitalise on the progress made and the commitment of so many to end the misery of 40.3 million of our fellow human beings.

It is an opportunity we must not let slip.

Source: <https://www.globallslaveryindex.org/resources/essays/public-procurement-the-trillion-dollar-missing-link>

Slavery and the American Founding

Since America's beginning, there has been intense debate about slavery, precisely because it raises questions about this nation's dedication to liberty and human equality. Does the existence of slavery in the context of the American Founding, its motivating principles, and the individuals who proclaimed those principles make the United States or its origins less defensible as a guide for just government?

At the time of the American Founding, there were about half a million slaves in the United States, mostly in the five southernmost states, where they made up 40 percent of the population. Many of the leading American Founders—most notably Thomas Jefferson, George Washington, and James Madison—owned slaves, but many did not. Benjamin Franklin thought that slavery was "an atrocious debasement of human nature" and "a source of serious evils." He and Benjamin Rush founded the Pennsylvania Society for Promoting the Abolition of Slavery in 1774.

John Jay, who was the president of a similar society in New York, believed:

the honour of the states, as well as justice and humanity, in my opinion, loudly call upon them to emancipate these unhappy people. To contend for our own liberty, and to deny that blessing to others, involves an inconsistency not to be excused.

John Adams opposed slavery his entire life as a "foul contagion in the human character" and "an evil of colossal magnitude." James Madison called it "the most oppressive dominion ever exercised by man over man."

From his first thoughts about the Revolution, to his command of the Continental army, to his presidential administration, George Washington's life and letters reflect a statesman struggling with the reality and inhumanity of slavery in the midst of the free nation being constructed. In 1774, Washington compared the alternative to Americans asserting their rights against British rule to being ruled "till custom and use shall make us as tame and abject slaves, as the blacks we rule over with such arbitrary sway."

When Washington took command of the Continental army in 1775, there were both slaves and free blacks in its ranks (about 5,000 blacks served in the Continental army.) Alexander Hamilton proposed a general plan to enlist slaves in the army that would in the end "give them their freedom with their muskets," and Washington supported such a policy (with the approval of Congress) in South Carolina and Georgia, two of the largest slaveholding states.

In 1786, Washington wrote of slavery, "there is not a man living who wishes more sincerely than I do, to see a plan adopted for the abolition of it." He devised a plan to rent his lands and turn his slaves into paid laborers, and at the end of his presidency he quietly freed several of his own household slaves. In the end, he could take it no more and decreed in his will that his slaves would become free upon the death of his wife. The old and infirm were to be cared for while they lived, and the children were to be taught to read and write and trained in a useful skill until they were age 25. Washington's estate paid for this care until 1833.

During his first term in the House of Burgesses, Thomas Jefferson proposed legislation to emancipate slaves in Virginia, but the motion was soundly defeated. His 1774 draft instructions to the Virginia Delegates for the First Continental Congress, *A Summary View of the Rights of British America*, called for an end to the slave trade: "The abolition of domestic slavery is the great object of desire in those colonies where it was unhappily introduced in their infant state." That same year, the First Continental Congress agreed to discontinue the slave trade and boycott other nations that engaged in it. The Second Continental Congress reaffirmed this policy in 1776.

Jefferson's draft constitution for the state of Virginia forbade the importation of slaves, and his draft of the Declaration of Independence—written at a time when he himself had inherited about 200 slaves—included a paragraph condemning the British king for introducing slavery into the colonies and continuing the slave trade:

He has waged cruel war against human nature itself, violating its most sacred rights of life and liberty in the persons of a distant people who never offended him, captivating & carrying them into slavery in another hemisphere, or to incur miserable death in their transportation thither. This piratical warfare, the opprobrium of INFIDEL powers, is the warfare of a CHRISTIAN king of Great Britain. Determined to keep open a market where MEN should be bought & sold, he has prostituted his negative for suppressing every legislative attempt to prohibit or to restrain this execrable commerce.

These words were especially offensive to delegates from Georgia and South Carolina, who were unwilling to acknowledge that slavery went so far as to violate the "most sacred rights of life and liberty." So, like some of Jefferson's more expressive phrases attacking the king, these lines were dropped in the editing process.

Nevertheless, Jefferson's central point—that all men are created equal—remained as an obvious rebuke to the institution. From very early in the movement for independence, it was understood that calls for colonial freedom from British tyranny had clear implications for domestic slavery. "The colonists are by the law of nature free born, as indeed all men are, white and black," James Otis wrote in 1761. "Does it follow that it is the right to enslave a man because he is black?" In the wake of independence, state after state passed legislation restricting or banning the institution.

By the time of the U.S. Constitution, every state (except Georgia) had at least proscribed or suspended the importation of slaves.

When delegates convened at Philadelphia to write a new constitution, however, strong sectional interests supported the maintenance of slavery and the slave trade. "The real difference of interests," Madison noted, "lay not between large and small states but between the Northern and Southern states. The institution of slavery and its consequences formed a line of discrimination." In order to get the unified support needed for the Constitution's ratification and successful establishment, the framers made certain concessions to the pro-slavery interests. The compromises they agreed to, however, were designed to tolerate slavery where it currently existed, not to endorse or advance the institution.

It is significant to note that the words "slave" and "slavery" were kept out of the Constitution. Madison recorded in his notes that the delegates "thought it wrong to admit in the Constitution the idea that there could be property in men." This seemingly minor distinction of insisting on the use of the word "person" rather than "property" was not a euphemism to hide the hypocrisy of slavery but was of the utmost importance. Madison explained this in *Federalist No. 54*:

But we must deny the fact, that slaves are considered merely as property, and in no respect whatever as persons. The true state of the case is, that they partake of both these qualities: being considered by our laws, in some respects, as persons, and in other respects as property. In being compelled to labor, not for himself, but for a master; in being vendible by one master to another master; and in being subject at all times to be restrained in his liberty and chastised in his body, by the capricious will of another-the slave

Frederick Douglass, for one, believed that the government created by the Constitution "was never, in its essence, anything but an anti-slavery government." Douglass was born into slavery in Maryland but escaped and eventually became a prominent spokesman for free blacks in the abolitionist movement. "Abolish slavery tomorrow, and not a sentence or syllable of the Constitution need be altered," he wrote in 1864:

It was purposely so framed as to give no claim, no sanction to the claim, of property in man. If in its origin slavery had any relation to the government, it was only as the scaffolding to the magnificent structure, to be removed as soon as the building was completed.

This point is underscored by the fact that, although slavery was abolished by constitutional amendment, not one word of the original text was amended or deleted.

Judging by the policy developments of the previous three decades, the Founders could be somewhat optimistic that the trend was against slavery. At the Constitutional Convention, Roger Sherman said: "the abolition of slavery seemed to be going on in the United States and that the good sense of the several states would probably by degrees complete it." In the draft of his first inaugural address, George Washington looked forward to the day when "mankind will reverse the absurd position that the many were made for the few; and that they will not continue slaves in one part of the globe, when they can become freemen in another." And in one of his last letters, Jefferson wrote:

All eyes are opened, or opening, to the rights of man. The general spread of the light of science has already laid open to every view the palpable truth, that the mass of mankind has not been born with saddles on their backs, nor a favored few booted and spurred, ready to ride them legitimately, by the grace of God.

Nevertheless, there was plenty of reason for concern. In 1819, during the debate over the admission of Missouri as a slave state, John Adams worried that a national struggle over slavery "might rend this mighty fabric in twain." He told Jefferson that he was terrified about the future and appealed to him for guidance. "What we are to see God knows, and I leave it to Him and his agents in posterity," he wrote. "I have none of the genius of Franklin, to invent a rod to draw from the cloud its thunder and lightning."

The Missouri crisis was "a fire bell in the night," wrote Jefferson in 1820. "We have the wolf by the ears and we can neither hold him, nor safely let him go. Justice is in one scale, and self-preservation in the other." But Jefferson gave no public support to emancipation and refused to free his own slaves. "This enterprise is for the young," he wrote.

Slavery was indeed the imperfection that marred the American Founding. Those who founded this nation chose to make practical compromises for the sake of establishing in principle a new nation dedicated to the proposition that all men are created equal. "The inconsistency of the institution of

slavery with the principles of the Declaration of Independence was seen and lamented," John Quincy Adams readily admitted in 1837. Nevertheless, he argued:

no charge of insincerity or hypocrisy can be fairly laid to their charge. Never from their lips was heard one syllable of attempt to justify the institution of slavery. They universally considered it as a reproach fastened upon them by the unnatural step-mother country and they saw that before the principles of the Declaration of Independence slavery, in common with every mode of oppression, was destined sooner or later to be banished from the earth.

"In the way our Fathers originally left the slavery question, the institution was in the course of ultimate extinction, and the public mind rested in the belief that it was in the course of ultimate extinction," Abraham Lincoln observed in 1858. "All I have asked or desired anywhere, is that it should be placed back again upon the basis that the Fathers of our government originally placed it upon."

Lincoln once explained the relationship between the Constitution and the Declaration of Independence by reference to Proverbs 25:11: "A word fitly spoken is like apples of gold in a setting of silver." He revered the Constitution and was the great defender of the Union. But he knew that the word "fitly spoken"-the apple of gold-was the assertion of principle in the Declaration of Independence. "The Union, and the Constitution, are the picture of silver, subsequently framed around it," Lincoln wrote. "The picture was made for the apple- not the apple for the picture." That is, the Constitution was made to secure the unalienable rights recognized in the Declaration of Independence.

As such, the slavery compromises included in the Constitution can be understood-that is, can be understood to be prudential compromises rather than a surrender of principle-only in light of the Founders' proposition that all men are created equal. In the end, lamentably, it took a bloody civil war to reconcile the protections of the Constitution with that proposition and to attest that this nation, so conceived and dedicated, could long endure.

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Source: <https://www.heritage.org/american-founders/report/how-understand-slavery-and-the-american-founding>

Slavery is Illegal Everywhere?

"Slavery is illegal everywhere." So said the New York Times, repeated at the World Economic Forum, and used as a mantra of advocacy for over 40 years. The truth of this statement has been taken for granted for decades. Yet our new research reveals that almost half of all countries in the world have yet to actually make it a crime to enslave another human being.

Legal ownership of people was indeed abolished in all countries over the course of the last two centuries. But in many countries it has not been criminalized. In almost half of the world's countries, there is no criminal law penalizing either slavery or the slave trade. In 94 countries, you cannot be prosecuted and punished in a criminal court for enslaving another human being.

Our findings displace one of the most basic assumptions made in the modern antislavery movement—that slavery is already illegal everywhere in the world. And they provide an opportunity to refocus global efforts to eradicate modern slavery by 2030, starting with fundamentals: getting states to completely outlaw slavery and other exploitative practices.

The findings emerge from our development of an anti-slavery database mapping domestic legislation against international treaty obligations of all 193 United Nations member states (virtually all countries in the world). The database considers the domestic legislation of each country, as well as the binding commitments they have made through international agreements to prohibit forms of human exploitation that fall under the umbrella term "modern slavery." This includes forced labor, human trafficking, institutions and practices similar to slavery, servitude, the slave trade, and slavery itself.

Although 96% of all these countries have some form of domestic anti-trafficking legislation in place, many of them appear to have failed to prohibit other types of human exploitation in their domestic law. Most notably, our research reveals that:

- 94 states (49%) appear not to have criminal legislation prohibiting slavery
- 112 states (58%) appear not to have put in place penal provisions punishing forced labor
- 180 states (93%) appear not to have enacted legislative provisions criminalizing servitude
- 170 states (88%) appear to have failed to criminalize the four institutions and practices similar to slavery.

In all these countries, there is no criminal law in place to punish people for subjecting people to these extreme forms of human exploitation. Abuses in these cases can only be prosecuted indirectly through other offences—such as human trafficking—if they are prosecuted at all. In short, slavery is far from being illegal everywhere.

A short history

So how did this happen?

The answer lies at the heart of the great British abolition movement, which ended the transoceanic slave trades. This was a movement to abolish laws allowing the slave trade as legitimate commerce.

During the 19th century, states were not asked to pass legislation to criminalize the slave trade, rather they were asked to repeal—that is, to abolish—any laws allowing for the slave trade.

This movement was followed up by the League of Nations in 1926 adopting the Slavery Convention , which required states do the same: abolish any legislation allowing for slavery. But the introduction of the international human rights regime changed this. From 1948 onwards , states were called upon to prohibit, rather than simply abolish, slavery.

As a result, states were required to do more than simply ensure they did not have any laws on the books allowing for slavery; they had to actively put in place laws seeking to stop a person from enslaving another. But many appear not to have criminalized slavery, as they had undertaken to do.

This is because for nearly 90 years (from 1926 to 2016), it was generally agreed that slavery, which was considered to require the ownership of another person, could no longer occur because states had repealed all laws allowing for property rights in persons. The effective consensus was that slavery had been legislated out of existence. So the thinking went: if slavery could no longer exist, there was no reason to pass laws to prohibit it.

This thinking was galvanized by the definition of slavery first set out in 1926. That definition states that slavery is the "status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised." But courts the world over have recently come to recognize that this definition applies beyond situations where one person legally owns another person.

So let's dig into the language of that definition. Traditionally, slavery was created through systems of legal ownership in people—chattel slavery, with law reinforcing and protecting the rights of some to hold others as property. The newly recognized "condition" of slavery, on the other hand, covers situations of de facto slavery (slavery in fact), where legal ownership is absent but a person exercises power over another akin to ownership—that is, they hold the person in a condition of slavery.

This creates the possibility of recognizing slavery in a world where it has been abolished in law, but persists in fact. Torture, by analogy, was abolished in law during the 18th century, but persists despite being outlawed.

Stories of slavery

Slavery may have been abolished, but there are still many who are born into slavery or brought into it at a young age and therefore do not know or recall anything different. Efforts by non-governmental organizations to free entire villages from hereditary slavery in Mauritania demonstrate this acutely, with survivors initially having no notion of a different existence and having to be slowly introduced to processes towards liberation.

This is a country in which the practice of buying and selling slaves has continued since the 13th century, with those enslaved serving families as livestock herders, agricultural workers, and domestic servants for generations, with little to no freedom of movement. This continues despite the fact that slavery was abolished.

Selek'ha Mint Ahmed Lebeid and her mother were born into slavery in Mauritania. She wrote about her experiences in 2006:

"I was taken from my mother when I was two years old by my master ... he inherited us from his father ... I was a slave with these people, like my mother, like my cousins. We suffered a lot. When I was very small I looked after the goats, and from the age of about seven I looked after the master's children and did the household chores—cooking, collecting water, and washing clothes ... when I was ten years old I was given to a Marabout [a holy man], who in turn gave me to his daughter as a

marriage gift, to be her slave. I was never paid, but I had to do everything, and if I did not do things right I was beaten and insulted. My life was like this until I was about twenty years old. They kept watch over me and never let me go far from home. But I felt my situation was wrong. I saw how others lived."

As this story shows, slavery turns on control. Control of a person of such an intensity as to negate a person's agency, their personal liberty, or their freedom. Where slavery is concerned, this overarching control is typically established through violence: it effectively requires the will of a person to be broken. This control need not be exercised through courts of law, but may be exercised by enslavers operating outside legal frameworks. In the case of Mauritania, legal slavery has been abolished since 1981.

Once this control is established, other powers understood in the context of ownership come into play: to buy or sell a person, to use or manage them, or even to dispose of them. So slavery can exist without legal ownership if a person acts as if they owned the person enslaved. This—*de facto* slavery—continues to persist today on a large scale.

The stories of people around the world who have experienced extreme forms of exploitation testify to the continued existence of slavery. Listening to the voices of people who have been robbed of their agency and personal liberty, and controlled so as to be treated as if they are a thing that somebody owns, makes it clear that slavery persists.

In 1994, Mende Nazer was captured as a child following a militia raid on her village in Sudan. She was beaten and sexually abused, eventually sold into domestic slavery to a family in the Sudanese capital of Khartoum. As a young adult she was transferred to the family of a diplomat in the UK, eventually escaping in 2002.

"Some people say I was treated like an animal," reflected Nazer, "But I tell them: no, I wasn't. Because an animal—like a cat or a dog—gets stroked, and love and affection. I had none of that."

Human trafficking

Because of this remarkably late consensus on what slavery means in a post-abolition world, only very specific practices related to severe human exploitation are currently covered under national laws around the world—primarily, human trafficking. And while most countries have anti-trafficking legislation in place (our database shows that 93% of states have criminal laws against trafficking in some form), human trafficking legislation does not prohibit multiple other forms of human exploitation, including slavery itself.

Human trafficking is defined in international law, while other catch-all terms, such as "modern slavery," are not. In international law, human trafficking consists of three elements: the act (recruiting, transporting, transferring, harboring, or receiving the person); the use of coercion to facilitate this act; and an intention to exploit that person. The crime of trafficking requires all three of its elements to be present. Prosecuting the exploitation itself—be it, for instance, forced labor or slavery—would require specific domestic legislation beyond provisions addressing trafficking.

So having domestic human trafficking legislation in place does not enable prosecution of forced labour, servitude or slavery as offenses in domestic law. And while the vast majority of states have domestic criminal provisions prohibiting trafficking, most have not yet looked beyond this to legislate against the full range of exploitation practices they have committed to prohibit.

Shockingly, our research reveals that less than 5% of the 175 states that have undertaken legally-binding obligations to criminalize human trafficking have fully aligned their national law with the

international definition of trafficking. This is because they have narrowly interpreted what constitutes human trafficking, creating only partial criminalization of slavery. The scale of this failing is clear:

- a handful of states criminalize trafficking in children, but not in adults
- some states criminalize trafficking in women or children, specifically excluding victims who are men from protection
- 121 states have not recognized that trafficking in children should not require coercive means (as required by the Palermo Protocol)
- 31 states do not criminalize all relevant acts associated with trafficking, and 86 do not capture the full range of coercive means
- several states have focused exclusively on suppressing trafficking for the purposes of sexual exploitation, and thereby failed to outlaw trafficking for the purposes of slavery, servitude, forced labor, institutions and practices similar to slavery, or organ harvesting.

In 94 countries, a person cannot be prosecuted for enslaving another human being. This implicates almost half of all the world's countries in potential breaches of the international obligation to prohibit slavery.

What's more, only 12 states appear to explicitly set out a national definition of slavery that reflects the international one. In most cases, this leaves it up to the courts to interpret the meaning of slavery (and to do so in line with international law). Some states use phrases such as "buying and selling human beings," which leaves out many of the powers of ownership that might be exercised over a person in a case of contemporary slavery. This means that even in the countries where slavery has been prohibited in criminal law, only some situations of slavery have been made illegal.

Also surprising is the fact that states who have undertaken international obligations are not significantly more (or less) likely to have implemented domestic legislation addressing any of the kinds of exploitation considered in our study. States who have signed up to the relevant treaties, and those who have not, are almost equally likely to have domestic provisions criminalizing the various forms of modern slavery. Signing onto treaties seems to have no impact on the likelihood that a state will take domestic action, at least in statistical terms. However, this does not mean that international commitments are not a significant factor in shaping particular states' national antislavery efforts.

The picture is similarly bleak when it comes to other forms of exploitation. For example, 112 states appear to be without penal sanctions to address forced labor, a widespread practice ensnaring 25 million people .

In an effort to support their families, many of those forced into labour in developed countries are unaware they are not taking up legitimate work. Travelling to another country for what they believe to be decent work, often through informal contacts or employment agencies, they find themselves in a foreign country with no support mechanism and little or no knowledge of the language. Typically, their identity documents are taken by their traffickers, which limits their ability to escape and enables control through the threat of exposure to the authorities as "illegal" immigrants.

They are often forced to work for little or no pay and for long hours, in agriculture, factories, construction, restaurants, and through forced criminality, such as cannabis farming . Beaten and degraded, some are sold or gifted to others, and many are purposefully supplied with drugs and alcohol to create a dependency on their trafficker and reduce the risk of escape. Edward (not his real name) explains :

"I felt very sick, hungry and tired all the time. I was sold, from person to person, bartered for right in front of my face. I heard one man say I wasn't even worth £300. I felt worthless. Like rubbish on the

floor. I wished I could die, that it could all be behind. I just wanted a painless death. I finally decided I would rather be killed trying to escape."

Our database also reveals widespread gaps in the prohibition of other practices related to slavery. In short, despite the fact that most countries have undertaken legally-binding obligations through international treaties, few have actually criminalized slavery, the slave trade, servitude, forced labor, or institutions and practices similar to slavery.

A better future

Clearly, this situation needs to change. States must work towards a future in which the claim that "slavery is illegal everywhere" becomes a reality.

Our database should make the design of future legislation easier. We can respond to the demands of different contexts by analyzing how similar states have responded to shared challenges, and adapt these approaches as needed. We can assess the strengths and weaknesses of different choices in context, and respond to problems with the type of evidence-based analysis provided here.

To this end, we are currently developing model legislation and guidelines meant to assist states in adapting their domestic legal frameworks to meet their obligations to prohibit human exploitation in an effective manner. Now that we have identified widespread gaps in domestic laws, we must move to fill these with evidence-based, effective, and appropriate provisions.

While legislation is only a first step towards effectively eradicating slavery, it is fundamental to harnessing the power of the state against slavery. It is necessary to prevent impunity for violations of this most fundamental human right, and vital for victims obtaining support and redress. It also sends an important signal about human exploitation.

The time has come to move beyond the assumption that slavery is already illegal everywhere. Laws do not currently adequately and effectively address the phenomenon, and they must.

Source: <https://phys.org/news/2020-02-slavery-crime-countries-world.html>