

What Lies at the Core of Slavery?

A Study of the Concept of Slavery

Abstract

Slavery - in popular imagination the word usually conjures up images of the transatlantic slave trade and slavery in the United States. A common belief is that slavery has been abolished and in a legal sense this is correct. However, the practical reality is little changed, i.e. the practice of slavery continues. Much remains to be done in order to abolish slavery, but one problem that I see as a great hindrance in this fight is the confusion regarding the concept of slavery. In addition, there is among the researchers a tendency to within their study focus on a certain type of slavery. The result of this is that it becomes harder to uncover the core aspects that these practices have in common and so what could be said to constitute slavery.

The subject of this paper is the concept of slavery. I wish here to try to uncover what lies at the core of the phenomenon as certain actors define it. Thus, the object of my study is certain definitions of slavery. These will be analyzed and compared with each other regarding the aspects that I have identified as constituting the core of each definition.

Key words: slavery definitions, Slavery Convention, Kevin Bales, concept analyses, key characteristics of slavery.

Innehållsförteckning

1	Introduction.....	1
1.1	Purpose of Study	2
1.2	Method and Material	2
1.2.1	Method of Analysis	2
1.2.2	The Choice of Definitions.....	3
1.2.3	Material.....	3
2	Theory.....	5
2.2	Slavery definitions in international conventions	5
2.2.1	The Slavery Convention	5
2.1.2	The Supplementary Convention	6
2.1.3	The Declaration of Human Rights	7
2.1.4	International Labor Organization.....	8
2.2	Slavery definitions by the civil society	9
2.2.1	Anti-Slavery International	9
2.2.2	Free the Slaves	10
2.3	Slavery definition by Kevin Bales, an academic and leading expert on new slavery	11
3	Analysis of the Concept of Slavery.....	12
3.1.	The core of the Slavery Convention’s definition: Getting Past the Aspect of Ownership.....	12
3.2.	The Core of the Supplementary Convention’s	13
	Definition: Exploitation, Loss of Freedom and Control	13
3.3	The Core of the Human Rights Convention’s Definition: Difficult to Say!.....	15
3.4	The Core of the ILO’s Definition: Forced Labor Equals Slavery?.....	16
3.5	The Core of the Anti-Slavery’s and Free the Slaves’ Definition: Confusion, Unfortunately	17
3.6	The Core of Bales’ Definition: Keep reading and you will find out	19
4	Conclusions.....	21
5	Bibliography.....	24

1 Introduction

Slavery usually conjures up images of the transatlantic slave trade that took place from the 15th to the 19th century. Still, slavery is a practice that has a history almost as long as the human kind (Bales 2005:28). It is also a common belief that slavery ended with the end of the slave trade and slavery in the United States. This is a highly erroneous assumption since slavery in different forms, all over the world, still takes place. True, today's slavery in most places is in many ways different from the so-called old slavery, but it does exist. The lack of general knowledge about today's slavery is also vivid in the academic sphere where the subject, with some exception, is poorly researched and discussed. Yet, there is hope since it seems to me that this area of research is growing (van den Anker 2004:15, 18; Sage & Kasten 2004:ix-xi, 1-3, 208-211; Bales 1999:3-6, 12; Re 2002:32).

One problem within the subject has to do with the concept of slavery and the word itself. As a concept or the most basic idea there is still no all-agreed-upon definition of slavery - different actors have different views on what constitutes slavery, or what lies at the core of slavery, and hence different definitions prevail. The word itself is very often used to denote various predicaments that people face in their lives, like for example very low wages, bad working conditions, child labor and so forth. As terrible as these situations are many of them do not add up to slavery. One could say that the word has come to entail many different meanings depending on the individual that uses it (van den Anker 2004:108; Quirk 2006:578).

Many areas of research deal with practices that could be labeled as slavery, as in the case of trafficking, bonded labor and certain forms of child labor. Unfortunately, most often these practices are not presented under the heading of slavery. The result is growing, but separate areas of research. Of course, it is very positive that these and similar practices by themselves get the attention they deserve and need; much is to be gained by a clear focus on an issue, but the result and a problem is that there is no coherent effort of uncovering what these and similar practices have in common regarding underlying structures and characteristics. In that sense, the separateness implies that useful insight regarding these practices and slavery as such is overlooked or rather missed (van den Anker 2004:1-2, 18-19; Bales 2005:7-8; Quirk 2006:566,571,576,578).

To sum up, slavery continues to exist, but there is a lack of knowledge about what the key dimensions of slavery are. This may not seem to be a very serious problem, but I think that it does represent both a theoretical and an empirical problem. If the conceptual ground of a subject is unclear then it also becomes difficult to uncover the empirical reality of the subject.

1.1 Purpose of Study

The practice of slavery takes many forms and the definitions of the phenomenon abound. Defining a concept is important since it forms the background against which the subject can be studied. A definition is needed in order for us to be able to grasp the empirical reality of whatever the subject. This is both a theoretical and an empirical effort, and thus both are equally necessary for a development of a concept. In the case of slavery and its many definitions there seems to be confusion regarding what lies at the core of slavery and what practices constitute slavery. There is also a lack of knowledge regarding where the different definitions converge and where they differ. Certain definitions are, unfortunately, rather inconsistent and bring only further confusion. Consequently, the concept of slavery is rather unclear. The purpose of this study is to try to uncover what lies at the core of slavery as a concept. This will be conducted through an analysis of certain chosen definitions. By comparing the chosen definitions I hope to find out what they, if anything, have in common and also where they diverge; this in order to try and find what can be termed the key dimensions or key characteristics of slavery.

1.2 Method and Material

The present chapter will contain a discussion on my chosen method of analyses, the choice of definitions that will be analyzed and the material used for this study.

1.2.1 Method of Analysis

The method used in this analysis is the one of comparison. Regarding this method Lundquist writes that it constitutes the basis within the social sciences. I have chosen this method because I see it to be the most useful and appropriate for this study. Depending on the subject and the objective of the study, the method of comparison can be of either qualitative or quantitative type. The present study is of the first-mentioned type, although there is a qualitative dimension present in the chapter four (Lundquist 1993:101-104).

In *Social Science Concepts* one can read following: "...any and all science depends on its concepts. These are ideas that receive names. They determine the questions one asks, and the answers one gets. They are more fundamental than the theories which are stated in terms of them" (Thomson 1961 in Sartori 1984:9). Concepts lay the groundwork for further studies, no matter what the subject is. Unfortunately, as Sartori himself writes, "...no method has yet been devised for a systematic analysis of concepts" (ibid. 1984:10). Different authors have differing

views regarding how a concept analysis should be conducted (see for example Esaiasson et al. 2004; Oppenheim 1981 and Sartori 1984).

1.2.2 The Choice of Definitions

The definitions chosen for this study may seem arbitrary since there are many different definitions of slavery, but my choosing was not random. After considering different options, I decided that it would be the most interesting if the chosen definition could be a representation of certain important actors or frameworks within this subject area. A definition is by itself, I think, a message of the view on the subject defined and the context within which it came into being. The definitions I will analyze form following frameworks:

- international framework, represented by definition(s) within the United Nations
- civil society framework, represented by the Anti-Slavery International and Free the Slaves
- academic and a single-individual framework, represented by Kevin Bales

The definitions that I will present in the chapter two have, hence, very different origins. Still, this does not pose a problem for comparison since they deal with the same subject, albeit with different outlook and stand. The different origins of the definitions can make the comparison more interesting since the actors defining the concept are very much rooted within different “realities” which often reflect themselves in the definitions. In the case of the international framework, the meaning of the League of Nations (later United Nations) being a sum of its member states had a very large impact on the Nations’ definition of slavery. When it comes to the civil society framework one can assume that actors within this category have much more freedom in defining slavery since there is much less political pressure. Lastly, Kevin Bales I see as adding a certain academic dimension. In addition, the freedom in defining slavery is possibly absolute in Bales’ case.

1.2.3 Material

Theoretically, my starting point is the chosen definitions. Some of the definitions analyzed in this paper have been studied and interpreted by others, but since my starting point is simply the definitions by themselves and not their interpretation by others, they constitute a primary source. Parts where I base my commenting and explaining of the definitions on some previous research rest on secondary sources. Some of these secondary sources are the works of Kevin Bales, the leading expert on new slavery. A very positive aspect with his work is that he brings together practices like trafficking, debt bondage, contract slavery and so on, under the heading of slavery. Thus, one gets a more coherent knowledge of many different practices that essentially have much in common. In that sense, his

works have been of great importance. Another secondary source that has been of importance is “Slavery in the Twentieth Century: the Evolutions of a Global Problem” by Suzanne Miers (Bales 1999; Bales 2005; Miers 2003).

2 Theory

The following chapter is a presentation of the definitions that will be analyzed. As will be seen, some are more exhaustive than others. The definitions are, as already said, grouped in three different categories. These reflect different points of origin. Definitions in the first category are the result of nation-states' cooperation and hence political and economic compromises. The second category can be seen as a welcomed contribution from the civil society and possibly as a complement to the United Nations framework. Lastly, a single individual, Kevin Bales, brings interesting views of his own.

Every presentation of a definition also contains some general commenting regarding the actors and the context within which the definitions were developed. This is intended to give a better understanding of the definitions and their meaning.

2.2 Slavery definitions in international conventions

The present category of definitions contains definitions of slavery by the Slavery Convention, the Supplementary Convention, Declaration of Human Rights and International Labor Organization. As can be seen, these definitions differ in many respects from one another and this is something that I will discuss later on in the paper.

2.2.1 The Slavery Convention

The most crucial definition of slavery in international conventions is stated in the Slavery, Servitude, Forced Labor and Similar Institutions and Practices Convention from 1926 (in the future referred to as the Slavery Convention). Article 1 stipulates following:

- (1) 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.
- (2) The slave trade includes all acts involved in the capture, acquisition or disposal of a person with the intent to reduce him to slavery; all acts involved in the acquisition of a slave with the view to selling or exchanging him; all acts of disposal by sale or exchange of a slave acquired with a view to being sold or exchanged, and, in general, every act or transport in slaves.

As can be seen, the definition of slavery is rather vague. What the formulation “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” (Brownlie & Good-Gil 2006:307) entails in practice is very much unclear. The same goes for the question of which practices should or can be viewed as being a case of the definition above. The vagueness is, at least partly, a reflection of slavery’s rather controversial character. One has to keep in mind the historic setting of the Slavery Convention. The League of Nations, created after the First World War, was a sum of its member states, of which many were colonial powers. The practice of slavery, in different forms, was highly present in the colonies and agreeing to a more specific and detailed definition was seen as politically and economically unwelcome. Defining slavery was to a large degree a struggle between the leading colonial powers at that time. Apart from the vagueness of the definition, another result of the compromise was that the question of compulsory or forced labor was not recognized as slavery. Instead, forced labor was allowed for public purposes and states were only advised to see that forced labor did not develop into conditions analogous to slavery. Forced labor was at the time an extensively used practice in the colonies (Miers 2003:122-123, 128-130; Bales 2005:41,44).

2.1.2 The Supplementary Convention

The above stated definition of slavery was in 1956 complemented by the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (in the future referred to as simply the Supplementary Convention). The rationale for this was the conclusion by the Ad Hoc Committee of Experts on Slavery that the definition of slavery as stated in the Slavery Convention left out certain practices analogous to slavery (Miers 2003:325,326,331). The Supplementary Convention included definitions and prohibition of debt bondage, serfdom, forced marriage and child labor, which are stated in its first section, Article 1:

(a) Debt bondage, that is to say, the status or condition arising from a pledge by a debtor of his personal services or of those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined;

(b) Serfdom, that is to say, the condition or status of a tenant who is by law, custom or agreement bound to live and labour on land belonging to another person and to render some determinate service to such other person, whether for reward or not, and is not free to change his status;

(c) Any institution or practice whereby:

(i) A woman, without the right to refuse, is promised or given in marriage on payment of a consideration in money or in kind to her parents, guardian, family or any other person or group; or

(ii) The husband of a woman, his family, or his clan, has the right to transfer her to another person for value received or otherwise; or

(iii) A woman on the death of her husband is liable to be inherited by another person;

(d) Any institution or practice whereby a child or young person under the age of 18 years, is delivered by either or both of his natural parents or by his guardian to another person, whether for reward or not, with a view to the exploitation of the child or young person or of his labour.

(Brownlie & Goodwin-Gil, 2006: 313)

The Supplementary Convention was an important further step in the fight against slavery. Unfortunately, much that was discussed by individuals and governments prior to the actual draft being accepted was not made part of the Convention. Like its predecessor, this Convention was also a highly political enterprise. The historic setting was one of the Cold War and decolonization. The Cold War meant a political struggle between United States and the USSR; Britain had certain interests regarding its own positions – publicly and officially leading the fight against slavery and covertly trying to deflect attention from slavery in “...their Persian Gulf satellites and the Aden Protectorate...” (Miers 2003:320). Another problem was what stance should be adopted regarding colonies that had their own legislature. Still, what later became the Supplementary Convention was, as I’ve already said, a development in the right direction. A positive aspect of the process that led up to the Convention was that different NGO’s, women’s groups and unions were to a larger degree involved in the process of gathering information about slavery (Miers 2004:320-322, 327, 331-332, 359,360).

2.1.3 The Declaration of Human Rights

Apart from the two conventions mentioned above which deal specifically with the issue of slavery, there exist other important international agreements that have relevance for the issue of slavery. One of these is the Universal Declaration on Human Rights of 1948 where one can read following:

Article 1.

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2.

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3.

Everyone has the right to life, liberty and security of person.

Article 4.

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5.

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

(Brownlie & Goodwin-Gil 2006:24-25)

Yet again, agreeing to a Declaration of Human Rights was another political struggle within the UN. The struggle was between the Western and the Soviet block which had differing views on the definition of human rights. Initially there was no intention of incorporating a prohibition of slavery within the Declaration; the general view was that slavery no longer existed. Suggestion that the Declaration should contain an article on prohibiting slavery came from the Soviet bloc and was accepted. An individual that was highly important for putting slavery on the UN agenda at this time was a fellow named Greenidge, who relentlessly lobbied the UN and national governments in order to create support for the anti-slavery question (Miers 2004:318-319,320).

2.1.4 International Labor Organization

ILO is a very interesting actor here, since its “view” on slavery differs from the others presented in this paper, or at least I am of this opinion. First of all, ILO is a body within the United Nations and its main objective is the “...promotion of social justice and internationally recognized human and labour rights” (<http://www.ilo.org/public/english/about/index.htm>). Within its agenda is the abolition of forced labor, which is the result of decoupling forced labor from slavery. In the ILO Thesaurus, the word “slavery” is written in italics which signifies “non-preferred terms” (<http://www.ilo.org/public/libdoc/ILO-Thesaurus/english/index.htm>); the preferred term is “forced labor”. This term is also used for “compulsory labor”. Forced labor, according to the ILO Thesaurus stands for

“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 [or herself] voluntarily”

(<http://www.ilo.org/public/libdoc/ILO-Thesaurus/english/tr1156.htm>)

Related terms listed are bonded labor and prison labor. Bonded labor is defined as “System whereby people are required to repay a debt by working for their creditors” (<http://www.ilo.org/public/libdoc/ILO-Thesaurus/english/tr1152.htm>) and the term is used for debt bondage, debt servitude and indentured labor. Initially one can be confused by all of these expressions; I know that I was, but in reality there are three expressions of importance within the ILO and this context:

- forced labor (instead of compulsory labor or slavery)
- bonded labor (instead of debt bondage, debt servitude and indentured labor)
- prison labor

Different expressions circulating within the ILO are, in my opinion, a reflection of the theoretical and empirical confusion regarding the concept of slavery. As long as different actors use different terms when describing one and the same practice, there will be the need of ILO having to state what their preferred terms are used instead of. If looking at the term bonded labor and what it is used instead of within the ILO, then there is at least three other terms circulating – debt bondage, debt servitude and indentured labor. Using the term bonded labor instead of the other three tells us that all of these four terms have the same meaning or that they are seen as having the same meaning.

In case of slavery, the above presentation shows that there are at least three terms (forced labor, compulsory labor and slavery) circulating as meaning the same thing or representing same practices. It seems that little thought has been put into developing a coherent and useful definition of slavery. Different actors have adopted different definition, which many times only result in confusion as to what slavery actually is.

2.2 Slavery definitions by the civil society

This subchapter contains slavery definitions by two important civil society actors; one being the Anti-Slavery International and the other, its sister organization, Free the Slaves. As will be seen, these two definitions are very similar.

2.2.1 Anti-Slavery International

Anti-Slavery International is the oldest human rights organization having roots that date back to 1787. Throughout its history, the organization has had different

names, one being the Anti-Slavery Society. The name Anti-Slavery International was taken in 1990.

Anti-Slavery International defines slavery as when a person is:

- Forced to work – through mental or physical threat.
- Owned or controlled by an ‘employer’, usually through mental or physical abuse or threatened abuse.
- Dehumanised, treated as a commodity or bought and sold as 'property'.
- Physically constrained or has restrictions placed on his/her freedom of movement.

(<http://www.antislavery.org/homepage/antislavery/modern.htm>)

Anti-Slavery International has been of great importance in the fight against slavery and slave trade. The first definition of slavery was developed within and by this organization. After the abolition of slave trade and legal slavery many believed that slavery no longer took place; in the case of the then Anti-Slavery Society certain political actors thought that the Society was stretching the word in order to have a reason for continued existence. Nevertheless, Anti-Slavery International has historically been very influential in creating public awareness regarding slavery and influencing decision-makers (Bales 2005:71-75; Miers 2003:323,324, 327).

2.2.2 Free the Slaves

Free the Slaves’ definition of slavery is very similar to the one above. Here a person is considered a slave when:

- Forced to work – through mental or physical threat
- Owned or controlled by an ‘employer’, usually through mental or physical abuse or threatened abuse
- Physically constrained or has restrictions placed on their freedom of movement

(www.freetheslaves.net)

The similarities between the definitions of Anti-Slavery International and Free the Slaves is not so remarkable considering that Free the Slaves is a sister organization of Anti-Slavery International. In general, these two organizations “...share similar aims and operating principles and have common methods of working against all forms of slavery.” (<http://www.antislavery.org/homepage/antislavery/about.htm>). Free the Slaves was founded in 2001 by Kevin Bales who is also its president. The interesting aspect of the Free the Slaves’ definition of slavery is that it does not contain the aspect(s) of dehumanization, treatment as commodity and being sold and bought as “property” as a key characteristic, which Anti-Slavery International does. The

aspect of “dehumanization, being treated as a commodity and sold and bought as property” as part of a definition can, as I will try to show later, be very problematic. This is especially true in the case of “dehumanization” as an explicit characteristic.

2.3 Slavery definition by Kevin Bales, an academic and leading expert on new slavery

The work of Kevin Bales is interesting because his focus is less on formulating one single definition and more on discovering what lies at the core of slavery, i.e. slavery’s key characteristics. A result of this, in terms of definition, is that he has different formulations of a definition. What these different formulations have in common is that they are all supposed to convey same key characteristics of slavery. For example, following are two formulations of a definition:

“A social and economic relationship in which a person is controlled through violence or its threat, paid nothing, and economically exploited” (Bales 2005:199)

or

“Slavery is a state marked by the loss of free will, in which a person is forced through violence or the threat of violence to give up the ability to sell freely his or her own labor power.” (Bales 2005:57)

For the sake of presentation, and this just by the way, another one of Bales’ formulations of slavery is following: “the total control of one person by another for the purpose of economic exploitation.” (Bales 1999:6). According to Bales, his definition of slavery has following three components: violence, loss of free will and exploitation. At the same time, in different parts of his work, the aspect of control figures as another one of slavery’s key characteristic; or rather as the key and central attribute. Bales definition, or rather his different formulations of a definition differ from the other presented in this paper in the sense that Bales starting point is highly empirical – focusing on the actual practices, finding out what they have in common, out of which follows a formulation of definition(s) (Bales 1999:19, 24-25; Bales 2005:57, 91).

3 Analysis of the Concept of Slavery

The present chapter is an effort to find out what constitutes the core of slavery as defined by the actors presented above. I will go through each definition, analyzing it and presenting what I consider to be its core characteristics of slavery. One possible drawback of this layout can be, I think, the need to while reading this chapter go back to the previous one in order to once again look at the definitions. To facilitate for the reader I will, in the cases where the definition is not space consuming, present it again. This will be the case with the, for example, Slavery Convention's definition.

3.1. The core of the Slavery Convention's definition: Getting Past the Aspect of Ownership

As shown in the previous chapter Slavery Convention's definition of slavery is following: "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" (Brownlie and Goodwin-Gil 2006:307). The question of *ownership* seems to be the key within this formulation. Having the aspect of ownership as a constitutive element of slavery is not that odd considering the historical context in which slavery was based on ownership. One could ask what the ownership within the definition entails empirically, but in view of the historical context the meaning is simply legal ownership. Today, the situation is much changed: legal ownership has been prohibited and today's slaves are not owned in that sense. So, does ownership really constitutes the core of slavery?

If we break down the aspect of ownership we are, I think, left with the question of *control* – one person having control over another. According to the McMillan English dictionary control is "the power to make decisions about something and decide what should happen" (McMillan English Dictionary for Advanced Learners 2002:304). In the context of slavery, historically one person legally owned another and thus had the right to control over that individual. Today, when there is no legal ownership one person over another, the aspect of control persists. This control is vivid in, for example, a slave not being able to chose his own wife or needing consent from the slave-owner/holder when wishing to marry; a slave-owner/holder being able to have sex with his female slaves regardless of their marital status; the ability of breaking up families by, for example, taking away the children; the arbitrary violence towards controlled

individuals and so on. These outcomes of the slave-owners'/holders' control were present within old slavery and continue to be present today (for further information see Bales 1999; Sage & Kasten 2006; Patterson 1982) Thus, it is possible to see the aspect of control as a characteristic that is applicable across time and to different types of slavery. I consider ownership and control as different elements that do not necessarily have to be in any relation to each other; control can be present without legal ownership. In addition, control over an individual can be so extensive and pervasive that legal ownership is not necessary.

Taking the above as a valid point still leaves us with the problem of how to interpret "powers attaching to the right..." (Brownlie & Goodwin-Gil 2006:307). As I have already said there is no legal ownership of a person anymore, so "powers attaching to the right of ownership" is no longer valid and useful. The problem persists if ownership is replaced by control. In my opinion, this is due to the idea of "right" in the formulation. Back in the day, ownership of a person meant that the owner had certain rights. Control, per definition, does not necessarily entail any rights. While ownership can be replaced with control, the idea of "rights" as formulated in Slavery Convention's definition is, I think, completely redundant.

If we continue the discussion on the idea of control, but now from the perspective of the person who is controlled, a legitimate question is what this control entails for that person. The most apparent outcome is the *loss of freedom* on the part of the individual that is controlled. Being controlled means lacking freedom to act out according to one's own thinking, wishes and needs; instead, the person who has control over one decides one's actions. This is a fact made clear from both historical accounts of slavery and modern ones. A slave in the American South during the old slavery and a slave today, anywhere in the world, both suffer(ed) from being under the control of someone else and so lacking freedom.

I think that it is possible, in conjunction with the empirical reality of slavery, to see the aspects of control and loss of free will as implicit in the Slavery Convention's definition of slavery.

3.2. The Core of the Supplementary Convention's Definition: Exploitation, Loss of Freedom and Control

The Supplementary Convention's definitions are, when compared with Slavery Conventions' definition, much more concrete and conceptually clear. There is, I think, a much clearer connection between the theory and the empirical reality of slavery.

In the Supplementary Convention's Article 1 – its definitions of different institutions and practices as analogous to slavery (Article 1 a, b, c, d) – it becomes possible to more clearly see the dimension of *control* and *loss of freedom* as part of the concept of slavery. One can say that, in this convention, there has been in the definitions a move away from the aspect of ownership, which is an important change. True, the aspects of control and loss of freedom are not always explicitly stated, but definitions by the Supplementary Convention show more clearly that

the conditions and statuses defined in the Convention involve (some degree of) control on the part of the slaveholder and loss of freedom on the part of the slave. The aspect of exploitation figures more prominently also.

For example, in the case of the debt bondage as defined in Article 1 (a) *exploitation* is present if a person is working without knowing for how long he/she is bound to work for the debt to be repaid or not knowing if his work is repaying the debt. Giving a loan and putting up unreasonable conditions on the repayment is exploitation of the debtor. The aspect of control is clearly implicit when the debtor's exposed position is misused (see for example Bales 1999:151-152); the debtor, by taking the loan, loses some degree of control. Empirically, this is the reality of slavery, although the precise loss of control varies from one case to the other. The definition of debt bondage also refers to the cases when the debtor puts someone else as the collateral for the loan, for example a family member. Clearly, the aspect of control figures here also, but this time between the debtor and the third party that is put as collateral. In addition, if that third party is not able to refuse than he/she lacks freedom.

Article 1 (c) deals explicitly with the status of women. In all three paragraphs of the article the aspect of control is implicitly present since the situations presented involve cases in which a woman is sold, inherited or transferred. Clearly, a dimension of control is indicated when a person can be promised or given away by someone. Paragraph (i) points also to the aspect of loss of freedom by stating "...without the right to refuse..." - if one is not able to refuse certain practices then one is lacking freedom. In the two following paragraphs (paragraphs (i) and (iii)) this aspect is not referred to in the same way. My conclusion is that in situations like (ii) and (iii) the aspect of a woman being free to refuse or not is not important; the practices as defined in (ii) and (iii) are forbidden in any case.

The aspect of payment regarding marriage, as stated in Article 1 c (i) I find rather confusing. In many cultures it is still normal and usual with dowry. I am not sure if the Article 1 c (i) is referring to this practice or actually some other. Dowry can consist of livestock, goods and/or money. The giving of dowry is, as far as I know, the opposite of what is stated in Article 1 a (c). Here it is stated that the woman's parents, guardian or family receives payment, but when dowry is involved it is the other way around – woman's parents/family give dowry to the grooms' family. Regardless of which, the question is essentially what should be regarded as payment. Concerning Article 1 a (c) another question is valid: what has more importance within the definition – if a woman is given in marriage without the right to refuse or if there is payment given for her?

The rather specific definitions, while on the one hand positive, on the other hand create certain problems. The most problematic definition is the one concerning a child or person under the age of 18, Article 1 (d). For example, in many countries today it is still common that parents, for example, "give over" or send away a child to another adult, whether family or not, as an apprentice. As such, the young person is very much under the influence and control of his/her teacher. Learning a profession means that the child works together with his teacher and is a part of the production process. The question of slavery in these

cases is very problematic. Yes, a child or a young person is delivered by his/her parents to someone else, money could be involved and the child is employed in whatever the production – but, does this count as slavery? How is one to come to some conclusion regarding the exploitation and the labor of an apprentice? In cases like this, the theory does not fit well with reality. In other cases, the definition fits quite well with certain practices which involve parents selling their children, sometimes unknowingly, into exploitation and abuse. In the case of apprenticeship, this practice is, unfortunately, becoming distorted and used for enslaving children (see for example Bales 2005:13-14, van den Anker 2004:24).

3.3 The Core of the Human Rights Convention's Definition: Difficult to Say!

Human Rights Declaration does not deal directly with slavery. Article 4 states that “no one shall be held in slavery or servitude” and that slavery shall be prohibited in all its forms, but one is left in the dark regarding a more precise meaning of slavery. Apart from that, slavery and servitude seem to be equated or rather having the same meaning, which once again does not say that much. Taking other articles within this Declaration into consideration, one can maybe claim that slavery is simply a condition when an individual is denied the rights stated in the Declaration. If we take this as a valid point of departure then there is the need to determine how many or which rights need to be denied for a person to be experiencing slavery. Article 1 states that all human beings are born free and equal in dignity and rights. Article 3 reinforces the idea of human beings being born free by stating that everyone has, among other things, the right to liberty. Equality, stated in Article 1, is in the subsequent article given stronger prominence. Being free or having liberty and equality are, I think, the most important ideas in the first part of the Declaration. Can it be claimed that slavery, then, is simply the opposite of liberty and equality? In addition, are liberty and equality necessarily in connection? I will not try to answer this since that would demand a separate paper in itself. As I have already remarked, the Declaration of Human Rights does not say much about slavery; greater weight, in the initial part of the Declaration, have the ideas of equality and liberty.

Another dimension that is relevant for a discussion on slavery, especially in the light of slavery's practical reality, comes from Article 5 which upholds the idea that people shall be free from torture or cruel, inhuman or degrading treatment or penalty. Statuses involving these violations can be summed up as abuse, which can be both physical and psychological.

It is difficult to claim what slavery is according to the Human Rights Declaration. A second interpretation of slavery according to the Declaration could be that slavery is simply the opposite of freedom, a state of (some form of) imprisonment. If this is taken as a valid point than the dimension of control can be

said to be implicitly present. This since a person can not be in a state of captivity by himself - somebody or something (another person, a country, an institution) need to be present for a person to lose his freedom.

3.4 The Core of the ILO's Definition: Forced Labor Equals Slavery?

The term "slavery", as is shown in the previous chapter, is not preferred within the ILO; instead, there is a definition of forced labor. By substituting slavery with forced labor I see these two as being equated in meaning and therefore as simply two different terms for the same practice. I am not sure if this is a view that has any supporters within the subject of slavery. The account by Miers, regarding forced labor, I interpret as having the view that forced labor is simply forced labor and not slavery (Miers 2003:134-135, 148). If this is the general view regarding forced labor as defined by ILO – "forced labor being something else than slavery" – then I think it is wrong and confusing that the term is presented as preferred to slavery. Anyhow, the definition of forced labor I see containing following dimensions:

- abuse or its threat (here as "menace of penalty"),
- loss of freedom (here as "for which the said person has not offered himself (or herself) voluntarily")
- control (since being able to force someone to do something which he/she has not offered voluntarily implies an aspect of control on the part of the individual that is doing the forcing)

The aspects of loss of freedom and control are rather uncontroversial. The aspect of abuse, on the other hand, deserves further discussion. As can be seen from above I have to the formulation "menace of penalty" assigned the meaning of abuse. Another possibility could have been to, instead of abuse, call it violence. However, abuse as I have chosen to see it is not synonymous with violence. Violence signifies exertion of physical force; abuse can be both of physical and psychological nature. Empirically, both old slavery and today's slavery display the aspect of abuse. With other words, maltreatment of a slave does not only manifest itself through physical maltreatment, but also through the psychological one. Due to this, I think that "abuse" is more correct than "violence" when defining the concept of slavery.

Bonded labor, a related term, has a rather neutral definition and formulation. The aspects of violence, abuse or its threat I do not see as present in the definition. Loss of freedom can be present (implicitly) if the debtor does not have the right to refuse to work for his creditor. Conceptually the term, as defined by ILO, has little validity if compared to the actual reality of the practice. In reality, abuse, force,

control and loss of freedom are very much present in bonded labor. The interesting aspect regarding bonded labor is that, within the ILO, the term does not fall under the category of forced labor (or, by substitution, slavery). It is a category of its own. According to others, for example Bales, bonded labor or debt labor constitutes slavery. The same view is present in the Supplementary Convention's view on debt bondage (see Bales 1999). However, since forced labor and bonded labor are two different categories within the ILO I will not, later on in this paper, take bonded labor into further consideration.

3.5 The Core of the Anti-Slavery's and Free the Slaves' Definition: Confusion, Unfortunately

The definitions of slavery by the Anti-Slavery International and Free the Slaves are almost identical. Only difference is that Anti-Slavery International has a forth criteria (dealing with dehumanization, treatment as a commodity or buying and selling as "property") which is not part of the Free the Slaves' definition. The similarities in definition are not all that surprising considering that Free the Slaves is a sister organization of Anti-Slavery International. What can be said about the above three criteria in the slavery definition that are shared by the two organizations?

When it comes to the first shared criteria ("forced to work – through mental or physical threat"), I consider it of actually containing two separate components or dimensions. The first one points to the dimension of *force* – forcing an individual to do something. The second one points to the action of *threat* ("through mental or physical threat"). My first objection here concerns the aspect of "mental or physical threat". What does mental or physical threat mean? The action of threatening means that a person is letting us know that he/she will cause us harm. Now, if a threat is physical has not the action of threatening then become abuse? Also, what does "mental threat" mean? Does it mean verbal abuse? Is it not possible to claim that all forms of threatening are mental? I have, unfortunately, no answers regarding the aspect of "mental or physical threat". To me, this aspect of the definition brings only confusion. Continuing on the subject of threat, does it only arises in conjunction with/through the aspect of force or is threatening something that is in itself inherent in the phenomenon of slavery?

If we break down the second criteria ("owned or controlled by an 'employer', usually through mental or physical abuse or threatened abuse") we can see that it has three components: 1. the question of *ownership*, 2. *control* and 3. *abuse or its threat*. The problem here, in my opinion, is that ownership and control are equated as meaning the same thing. I think that this, instead of bringing clarity to the definition, leads to confusion. Legal ownership of people has been abolished and one needs to ask what kind of ownership is here implied. Control is a very important aspect of slavery, much more so than ownership, since control is always present in a slave – slaveholder relationship, regardless of if a person is legally

owned or not. Control by the slaveholder over the slave can be so extensive that no ownership is necessary – the control is so pervasive that it is as if one person owned another. According to what I have said above, I think that it is wrong to equate ownership with control. In addition, I think that control and not ownership is at the core of slavery. Abuse is here, as can be seen from the definition, usually a mean through which a person is controlled.

The third shared criterion (“physically constrained or has restrictions placed on their freedom of movement”) is a bit confusing. First of all, I can not come to a conclusion regarding the meaning of “physically constrained”. What situations or practices are physically constraining? Chaining a person to his work place is a form of physical constraining, but is hindering a person from moving to another address or changing work place also physically constraining? This formulation is, I think, simply a tautology; does not being physically constrained implies or has inherent the aspect of restrictions on the freedom of movement? Regarding the other half of the formulation above, is it necessary to specify that the subject is the freedom of movement? In reality, a slave is at loss of freedom in general, not only loss of freedom of movement. This is also why I think that loss of freedom is at the core, not “restrictions on the freedom of movement”. Due to the above, I think that the formulation can be shortened to simply “*loss of freedom*”.

Lastly, there is the criterion that is only to present in the definition of slavery by the Anti-Slavery Society (“dehumanised, treated as a commodity or sold and bought as property”). This is another criterion that contains three components: 1. dehumanization, 2. treatment of a person as a commodity, 3. selling and buying as property. My biggest problem here is the question of dehumanization. Having this as one characteristic or dimension of what constitutes slavery seems redundant (and even wrong) since slavery in its entirety is dehumanizing; dehumanization is inherent in the condition of being a slave, no matter how it is defined. Being forced to work, exposed to violence or its threat, loss of freedom and so on - are these not conditions that are dehumanizing of an individual?

My second objection to this criterion concerns its second and third components: selling and buying of an individual as property is highly a treatment of a person as a commodity. Now, is the explicit statement of these two equally necessary in a definition of slavery? In a way, as was the case above, this is another tautology. Therefore, I think that the third component – “selling and buying as property” – is redundant; the definition does not lose its strength and power of explanation if it is removed.

The treatment of a person as a commodity brings us back to the question of ownership. Ownership means that one has certain rights, as for example property rights, over something. These rights also give the owner the possibility of selling whatever he is in possession of; but the question of ownership – what kind, in what way, is very unclear in these definitions and so is the question of treatment of a person as a commodity. What does this treatment of a person as a commodity imply - actual selling and buying of a person only or are there other possible ways of treatment? As with the aspect of control, ownership does not have to be present for one person to treat another as a commodity. Having complete control over a person makes it possible to treat that person as a commodity. Since legal

ownership of a person is no longer a reality having ownership as an aspect of slavery seems unnecessary. In addition, one can here, once again, see inherent the aspect of loss of freedom.

3.6 The Core of Bales' Definition: Keep reading and you will find out

In Bales' first formulation of a definition I see following as the key components: 1. *control*, 2. *violence or its threat*, 3. *non-remuneration* and 4. *economic exploitation*. To this, I would add the implicit dimension of *loss of freedom* as the fifth dimension. When it comes to "a social and economic relationship", I feel that "social and economic relationship" is redundant within the formulation – a person cannot be a slave on his own; instead, there is always at least one other individual involved and so it is always a relationship. In that way slavery has inherent the social aspect Bales first formulation contains. The same can be said for the economic aspect of the relationship – the economic aspect is present through Bales listing "paid nothing" and economically exploited" as one of slavery's characteristics.

Question of (non-)payment that I have listed as one of the components of the definition is problematic: what if there is payment given to an individual suffering from the other conditions listed – does the fact he/she is paid rule out that slavery is taking place? Alternatively, if there is payment, but so low that it does not suffice for the everyday survival and needs? The question of payment is wider than that – there is the need of coming to terms regarding what should be counted as payment, only proper wage in money, or also payment in the form of food and animals. If considered in conjunction with the aspect of exploitation, enumeration does not exclude exploitation. If a person is paid an absurdly small amount of money for his work, than he can be considered as being exploited. Of course, I am fully aware that what is seen as an "absurdly small amount of money" differs from place to place or even from group to group, which means that one has to take into consideration what is normal or average in each and every place one studies. In relation to the Bales formulation above, the question is essentially whether being "paid nothing" is crucial to the formulation of a definition of slavery? I do not think that it is. I firmly believe that a person can be slave even if there is occasional payment given to him/her; at least the empirical evidence point to that, as in the case of prostitutes in Thailand or Brazilian coal miners that Bales himself writes about (Bales 1999:34-79, 121-148).

The second formulation ("Slavery is a state marked by the loss of free will, in which a person is forced through violence or the threat of violence to give up the ability to sell freely his or her own labor power" (Bales 2005:57) consists of following dimensions: 1. *force*, 2. *violence or its threat*, 3. *loss of free will* (or freedom) and 4. *not being able to sell freely his or her own labor power*. Control, which appears explicitly in the first formulation, is implicit in this one and could

be added as the fifth dimension. Considering what the second formulation says – “a loss of free will and being forced to do something” – implies another person being in control, curtailing freedom and doing the forcing.

On the subject of violence my only comment regards what I have previously said about violence versus abuse. Bales has chosen to see violence as one of the key characteristics of slavery, while I think that abuse is more correct. Slaves have been and still are exposed to violence, which is physical force that is applied against them. However, they are also subjected to threatening, unfair treatment, yelling and other forms of psychological abuse.

The aspect of economic exploitation that is a part of the first formulation I do not necessarily see as being inherent in the second formulation. Not being able to sell freely ones own labor power, even when the other components of the formulation are present, does not have to imply that economic exploitation is taking place. Equally, one can be exploited even when no one is controlling you, no violence is taking place and one has the ability to sell freely ones own labor power.

A drawback with Bales’ definition is the different formulations of it. As can be seen above they can, at the first glance, convey different stands regarding the concept of slavery or rather they are not always consistent in their message. As said before, Bales’ definition centers around what he sees as the three key characteristics of slavery - violence, loss of free will and exploitation. Also, control is, sometimes, regarded as one of the key characteristic. Therefore, whatever the formulation these three/four characteristics should, explicitly or implicitly, be present. Still, I do not see, for example, the dimension of exploitation as essentially present in the second formulation of the definition. In the end, what one sees as inherent in Bales’ formulations is, ultimately, a question of interpretation.

4 Conclusions

The presented table is intended to bring together and show what the different definitions I have studied have in common regarding slavery's characteristics. While working with this table, I quickly discovered that this was not as simple as I thought that it would be. This is partly due to my wish to incorporate both the characteristics that I have identified as being implicit in the definitions and those that are explicitly stated. For example, regarding the aspect of mental or physical threat, I consider this a part of "abuse or its threat". The aspect of abuse is, in fact, present in the slavery definition of Anti-Slavery International and Free the Slaves, but the aspect of threatening is separated from it. Thus, I decided to have "threatening" as one of the characteristics in the table. The table is far from perfect, but it will have to do.

According to the table, following are characteristics that seem to be of most importance or rather most commonly seen as constituting the concept of slavery: control, loss of freedom, exploitation, being forced and abuse or its threat.

Characteristics	Definitions						
	Slavery Convention	Supplementary Convention	Declaration of Human Rights	ILO	Anti-Slavery International	Free the slaves	Kevin Bales
Abuse or its threat		Yes/No	Yes/No	Yes	Yes	Yes	
Lacking ability to sell his/her own labor power							Yes
Bought and sold as property					Yes		
Control	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Dehumanization					Yes		
Exploitation		Yes		Yes	Yes	Yes	Yes/No
Being forced				Yes	Yes	Yes	Yes

Loss of freedom	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Non-Payment							Yes
Physically constrained/ Restrictions on freedom of movement					Yes	Yes	
Treated as a commodity	Yes/No				Yes		
Ownership	Yes				Yes	Yes	
Threatening					Yes	Yes	
Violence or its threat							Yes

I have in this paper tried to conduct a concept analyses of slavery. As can be seen there is no lack of definitions of slavery. However, this is more a drawback than an advantage. There is conceptual confusion within the subject and much remains to be done regarding this aspect of the subject of slavery. Certain differences between the analyzed definitions can be said to stem from their different origins, both in terms of time-period and political arenas. It clear that the concept of slavery has with time come to incorporate more and more practices, i.e. the concept has been expanding.

Essentially, many definitions share, at least partly, the same characteristics. Control and loss of freedom, are explicitly or implicitly present, within all of the definitions. Abuse or its threat is also a common characteristic. The problems spring from following:

1. A definition that is, in a sense, simply a description of the actual form that slavery takes and not what lies at the core of slavery
2. The mixing of means by which slavery is upheld with what is presumed to constitute slavery
3. Definitions within which every key characteristic in fact contains several characteristics
4. Confusion regarding terms like “mental or physical threat”, violence and abuse.
5. Conflation of ownership and control as meaning the same thing
6. Having multiple formulations of a “definition”, which, unfortunately, sometimes adds to the confusion regarding the key characteristics

A definition of slavery, if based upon the presented table, could be following: a condition in which an individual is controlled, at a loss of freedom, exploited and abused or under its threat. I have intentionally left out the aspect of force, since it can be viewed as implicitly present in the above condition. In many

respects this resembles Bales definition of slavery (at least if compared to some of his formulations). Bales approach to defining slavery – the close connection to the empirical aspect of the phenomenon and taking account of many different practices within the study – is I think one of the better works regarding slavery as a concept and a practice. Much useful insight is present in his works and I think that he comes closest to a functioning and valid concept of slavery. However, I still think that not having a single, clear formulation of a definition is a disadvantage.

Due to the limited space I have not been able to have a discussion regarding how the constitutive elements of a concept of slavery can be measured. Characteristics like for example abuse, especially psychological such, and loss of freedom are relative. The same can be said about the aspect of control. How is one to measure these and where can one draw a line, i.e. how much abuse and control, loss of which freedoms and how much loss can be interpreted as a condition turning into slavery? Questions of this kind are important, since there is no use of a concept if it only looks good on paper. This is thus my suggestion for further research – apart from further research on the subject of concept of slavery.

5 Bibliography

van den Anker, (ed), 2004. *The Political Economy of New Slavery*. New York: Palgrave McMillan.

<http://antislavery.org/homepage/antislavery/modern.htm>. Hämtad: 3 november 2006.

<http://www.antislavery.org/homepage/antislavery/about.htm>. Hämtad: 3 november 2006.

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

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

Brownlie, Ian – Goodwin-Gill, Guy S., 2006. *The Basic Documents on Human Rights*. New York: Oxford University Press.

Free the Slaves. www.freetheslaves.net. Hämtad: 3 november 2006.

<http://www.ilo.org/public/libdoc/ILO-Thesaurus/english/index.htm>. Hämtad: 3 november 2006.

<http://www.ilo.org/public/libdoc/ILO-Thesaurus/english/tr1156.htm>. Hämtad: 3 november 2006.

<http://www.ilo.org/public/libdoc/ILO-Thesaurus/english/tr1152.htm>. Hämtad: 3 november 2006.

Lundquist, Lennart, 1993. *Det vetenskapliga studiet av politik*. Lund: Studentlitteratur.

Esaiasson, Peter et al., 2004. *Metodpraktikan*. Norstedts Juridik.

Macmillan English Dictionary for Advanced Learners, 2002. Bloomsbury Publishing.

Miers, Suzanne, 2003. *Slavery in the Twentieth Century: the Evolution of a Global Problem*. Walnut Creek, CA: AltaMira Press.

Oppenheim, Felix, 1981. *Political Concepts: A Reconstruction*. Basil Blackwell Publisher Ltd.

Paterson, Orlando, 1982. *Slavery and Social Death: A Comparative Study*. London: Harvard University Press.

Re, Richard. 2002. A Persisting Evil: the Global Problem of Slavery. *Harvard International Review* vol.23, no.4.

Sage, Jesse – Kasten, Liora, 2006. *Enslaved: True Stories of Modern Day Slavery*. New York: Palgrave MacMillan.

Sartori, Giovanni (ed.), 1984. *Social Science Concepts*. London: Sage Publications Ltd.

Quirk, Joel, 2006. The Anti-Slavery Project: Linking the Historical and Contemporary. *Human Rights Quarterly* vol.28, no.4.