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To: EJF comments

Cc: Ved Nanda

Subject: EJF newsletter - Condoning slavery under color of law-Two centuries on - Part X 4/3/07

The following article appeared in the Sunday, April 1, 2007, Denver Post. EJF comments on contemporary slavery in the United States follow Prof. Nanda's article.

Two centuries on, still battling slavery by Ved P. Nanda

Contributing columnist, The Denver Post

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Two hundred years after the 1807 slavery abolition act was passed by the British Parliament, new forms of slave trade persist in many regions of the world.

The anniversary has been marked in many ways, directly and indirectly. The United Nations designated March 25 as an international day of commemoration.

Last week, Prime Minister Shinzo Abe of Japan apologized for his country's use of 200,000 young women, mainly from Korea and China, in the military brothels in the 1930s and '40s. However, he stopped short of acknowledging that the Japanese military had coerced these "comfort women" into sexual slavery, thus refusing to accept state responsibility for the recruitment of sex slaves.

A resolution is pending in the U.S. House asking for an official apology from Japan for recruiting sex slaves.

Tony Blair has expressed "deep sorrow" for Britain's role in the slave trade and for the "unbearable suffering" it caused. Blair opposes reparations because, he says, the slave trade was perfectly legal when it was practiced. Britain, however, is reassessing its responsibility for these practices through a series of exhibitions in a number of cities.

History reminds us that the slave trade had existed long before the Europeans engaged in it, as tens of millions of Africans were sold into slavery by Arab traders and their despotic leaders. In the United States, the 13th Amendment to the Constitution abolished slavery in 1865, but it was not until 1995 that the state of Mississippi ratified it.

At the U.N., the Caribbean Community (CARICOM) has called for "a complete and unequivocal" apology from leaders of all colonial powers for their role in the slave trade. CARICOM is seeking to install a permanent memorial in the halls of the United Nations "as an acknowledgement of the tragedy and in consideration of the legacy of slavery."

Those who demand reparations claim that Western wealth and power were built on profits and investments resulting from slavery - and the successors of those who suffered from brutalization and tragedy must be provided compensation.

Globalization, which spurs capital to find the cheapest labor possible, and official corruption are partly responsible for contemporary slave labor. Slaveholders and corrupt government officials profit from expendable labor. Hence, contemporary forms of slavery flourish in many countries. While trafficking of women and children across national borders has recently caught worldwide attention because of the focus on forced prostitution, little attention has been paid to those enslaved within their home countries.

The International Labor Organization reports that there are 12.3 million people living in slavery today.

Debt bondage in agriculture exists in Guatemala, Mexico, Peru, Haiti, the Dominican Republic, Brazil, India, Pakistan and Nepal. In Mauritania, thousands of black Africans are still owned by Arabs. The U.S. State Department estimates that approximately 800,000 people are trafficked annually. Commerce directly related to modern slavery results in at least \$7 billion each year. Save the Children reports that some 132 million children worldwide work as forced labor in agriculture.

Debt bondage is the most prevalent form of modern slavery, with workers attempting to repay debts that will never be paid off. Although India abolished bonded labor in 1976 and created a program that allows laborers to receive a grant sum in land or livestock, corruption in the system often results in the workers receiving useless, rocky land, and banks and shopkeepers adding "processing fees" to the grants. Consequently, the problem still remains critical.

In Pakistan, bonded women from ethnic or religious groups, especially brick workers, are at risk for assault and molestation by their "owners." Reports of the use of child slaves in the harvesting of cocoa in East Africa have led to calls for preventive measures.

There are plenty of international and regional treaties prohibiting the slave trade, trafficking, prostitution and forced labor. National legislation, such as the U.S. Trafficking Victims Protection Act of 2000, exists to combat international trafficking. But these are piecemeal efforts. A new, comprehensive global human rights treaty is now needed to address the modern forms of slavery.

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Under color of law contemporary slavery thrives in the United States

Charles E. Corry, Ph.D., F.G.S.A.

It is always comforting to point the finger elsewhere when discussing unpleasant topics like slavery, and Prof. Nanda does that well. However, before we tell the rest of the world how to live we should clean up our own house.

Prof. Nanda mentions the 13th Amendment but doesn't bother with the provision that prohibits involuntary servitude. Indentured servitude is so prevalent today that Congressman George Miller (D-CA) introduced the Indentured Servitude Abolition Act of 2007 in March. Hundreds of thousands of men and women are currently working under terms of indentured servitude on H1-B and H-2 visas, among other federal programs, and more are being brought here every year.

Then there is slavery associated with paternity fraud in which a man is forced to pay for children DNA testing conclusively shows are not his. A reasonable estimate is that 1.4-1.6 million men in the United States are so enslaved. And thanks to state senators Steve Johnson (R) and Shawn Mitchell (R), Colorado has the most draconian provisions of any state. Once a divorce is final or a paternity judgement has been entered, even if by

default, the man is forced to pay support until the child's 19th birthday. And failure to pay results in prison, among other draconian penalties.

Prof. Nanda correctly notes that debt bondage is the most prevalent form of modern slavery but says nothing about the millions of divorced fathers whose income has been "imputed" by a court. Based on that fictitious number, child support payments are ordered that can be more than the man actually earns. He is then forever in bondage under the [Bradley Amendment](#). Again, failure to pay results in prison and other merciless penalties. Suicide is all too often seen as the only way out by such men. And families are destroyed as surely as when fathers were sold down the river.

Now Colorado state senator John Morse (D) has pushed through a bill (SB07-136) that allows any woman to claim abuse and force a man to support her by filing an *ex parte* restraining order. And abuse is defined as anything a woman wants to claim it is, while the man is given virtually no chance to defend himself before becoming enslaved *in absentia* by such orders.

As best I can tell at least 20% of the prisoners in our county jail are there basically because they were first enslaved, while their children run wild in gangs on our streets. Meanwhile companies like [Maximus](#), the Halliburton of child support, grow rich on human trafficking. And while Tony Blair may have expressed "deep sorrow" for Britain's role in promoting slavery, American politicians continue to foster it. As a result, contemporary forms of slavery flourish in the "land of the free." Thus, any "new, comprehensive global human rights treaty" must address the modern American framework of slavery as a first priority.

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The good men may do separately is small compared with what they may do collectively.

Benjamin Franklin

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