

Unfree Labor, Capitalism and Contemporary Forms of Slavery

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1. Introduction

It is widely accepted that capitalism is characterized by “free” wage labor. But what is “free wage labor”? According to Marx a “free” laborer is “free in the double sense, that as a free man he can dispose of his labour power as his own commodity, and that on the other hand he has no other commodity for sale” – thus obliging the laborer to sell this labor power to an employer, who possesses the means of production.

Yet, instances of “unfree labor” – where the worker cannot even “dispose of his labor power as his own commodity¹” – abound under capitalism. The question posed by this paper is why. What factors can account for the existence of unfree labor? What role does it play in an economy? Why does it exist in certain forms? In terms of the broadest answers to the question of why unfree labor exists under capitalism, there appear to be various potential hypotheses.

- Unfree labor may be theorized as a “pre-capitalist” form of labor that has lingered on, a “vestige” of a formerly dominant mode of production. Similarly, it may be viewed as a “non-capitalist” form of labor that can come into existence under capitalism, but can never become the central form of labor.
- An alternate explanation of the relationship between unfree labor and capitalism is that it is part of a process of primary accumulation. That is, unfree labor occurs where the conditions for “free” wage labor do not yet exist. It is therefore a transitional phenomenon which creates such conditions. This explanation includes the concept of extended primary accumulation, a process at work where capitalism is expanding to include populations that are not yet proletarianized.

¹ On the issue of commodification of labor power, Tom Brass writes that in chattel slavery “the *person* of the slave is the subject of an economic transaction (while) in the case of a bonded, convict, contract or indentured labourer it is the latter’s *labour power* which is bought, sold and controlled without the consent of the owner.” (Brass and van der Linden 59)

- Yet unfree labor may also exist where capitalism appears to be established. Some theories therefore posit that “free” wage labor is actually only one option among many that the capitalist class may choose to employ. The main reasons why various forms of labor are or aren’t allowed to exist are therefore not primarily economic, but rather social and/or political. Others reject this, claiming that as “free” wage labor is the characteristic form of labor under capitalism, unfree labor is only employed where the regular processes of capitalist accumulation cease functioning, or at least threaten to.

Some of the key literature in which these hypotheses have been developed will be reviewed, with particular attention to the latter two issues, and with reference to what is known about the history of forms of unfree labor under capitalism. I will also consider what is known about contemporary uses of unfree labor to see if this knowledge lends support to - or offers evidence against - any of these alternative hypotheses.

The categories of unfree labor (throughout history) used by M.L. Bush (2000) are: Slavery, Serfdom, Indentured Servitude, Debt Bondage and Penal Servitude. I will adapt these categories and use instead the following:

- 1) Serfdom
- 2) Chattel Slavery
- 3) Indentured Servitude
- 4) Debt Bondage / Peonage
- 5) State Coordinated Unfree Labor
- 6) Trafficked Labor
- 7) Tributary Labor

These are all unfree forms of labor in that they are defined by the effective inability of the worker to stop working and either seek other employment or the exit labor force entirely. It involves some type of force or coercion beyond - or instead of - the threat of not finding

other work (e.g., starvation). This coercion, however, can include the enforcement of “consent” initially obtained from the worker to remain with employer for a given length of time.

In the literature on slavery and unfree labor, distinctions have been made between “societies with forced labor” and “societies dependent on forced labor.” In this paper, I will instead consider unfree labor when it makes up a significant portion of labor in a particular industry and/or geographical area. In other words, the only cases that are not considered are isolated instances of unfree labor which would be considered an aberration by the society in which it takes place.

The implications of any broad conclusions that can be (or, perhaps, can't be) drawn will be considered, particularly in light of current efforts to combat forced labor and human trafficking.

2. Forms of Unfree Labor and Some Examples of Them

As stated above, various forms of unfree labor are defined by the effective inability of the worker to stop working and either seek other employment or exit the labor force entirely. It involves some type of force or coercion beyond - or instead of - the threat of not finding other work (e.g., starvation). The definitions of different forms of unfree labor offered below therefore hinge on the principal mechanism by which the laborers are held in their position, the main way in which they are prevented from leaving.

To be clear, I use ‘principal,’ or defining, mechanism to refer to the manner in which unfree labor *as a system* is carried out and reproduced. Violence, for example, has been used to control workers held under various forms of unfree labor in many different places and periods. Yet, the question of why this violence is sanctioned remains, and part of the

answer lies in the mechanism through which the system is structured. Enforcement of the structure is another question: while codifying the system in law has often been a means of enforcement, this is by no means always the case. The state, or some state actors, may act to enforce a system of unfree labor in spite of its legal prohibition, or the state may be unwilling or unable to effectively prohibit the use of unfree labor. So, even where the law is not used to enforce a system of unfree labor, custom or ideology may still be used.

This leads us to the question of how workers in unfree labor are differentiated from “free” workers and others in society. Colin Palmer writes:

Systems of coerced labor have invariably been sanctioned by an ideology that ascribed certain immutable characteristics to the superior as well as to the subordinated groups Aristotle, for example, embraced the idea of ‘natural slavery,’ a position that maintained that some individuals were naturally inferior to others in their intellectual capacities and hence were legitimate candidates to serve their betters. The Church justified slavery on the grounds of ‘original sin’ and endorsed forms of unfree labour as suitable for what it characterized as non-believers, infidels or heretics. Others, particularly after the European penetration of Africa and the Americas, sanctioned the coerced labour of the indigenous peoples because of their alleged cultural and ‘racial’ superiority. (xiii)

In addition to race and religion, other identity markers have been used throughout history to justify the assignment of a group of workers to unfree labor, and the exemption of another group from this status. These include caste, conviction of crime and national origin. Historically, there is no particular correspondence between one of these markers and one of the forms of unfree labor.

The following categories are an attempt to classify the main forms of unfree labor that have been documented. They differ from previous definitions by an effort to avoid relying on descriptions, or common characteristics, of unfree labor. For example, in a particular historical instance the children of chattel slaves generally may have inherited their

parent's slave status, while those of indentured servants tended to be "free" laborers. While this difference would be important to consider, it should be viewed a consequence of the mechanism by which slaves were held as unfree laborers – ownership, and that used to hold indentured servants - a contract; it can also be seen as a consequence of the broader context of the historical moment in which these mechanisms were implemented. The difference should not, then, be confused the principal mechanism itself. By relying on the mechanism used to enforce the system, this first attempt at definitions should therefore be an improvement over previous categorizations.

- 1) Serfdom, the "dominant class relation in feudal society" (Federici 22), is defined in the 1956 Slavery Convention as "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." Palmer notes that serfs "provided for their own sustenance and the landlord was entitled to a portion of what they produced and earned." (xv) Bush provides a definition that acknowledges two types of serfdom in medieval western and modern Eastern Europe. "Serfs were the property of someone else... Conceived in the law as being 'at the will of the lord', serfs were either tied to the lord's estate or to the lord's person." (19)
- 2) Chattel Slavery is distinguished from other forms of unfree labor by the fact that the slaves are considered to be property; their employers are acknowledged as their owners. The 1926 Slavery Convention 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." Robin Blackburn points out that the word chattel is derived "from the same Latin root as the words 'cattle' and 'capital'" and that

“slaves, usually all too literally, were regarded as human cattle.” (584) The broad scholarly attention to this form of unfree labor relative to other forms has sometimes led to the idea that chattel slavery is the norm by which others are measured. So it is worth emphasizing that the property/owner relationship is not the defining characteristic of all forms of unfree labor.

- 3) Indentured Servitude is where a worker submits in a written contract to working exclusively for a particular employer for a definite period of time. Bush, discussing indentured servitude in the Caribbean and North America in the seventeenth and eighteenth century as well as in Latin America, the Caribbean, Mauritius, Réunion, southern Africa, Queensland and a number of Pacific Islands, points out that indentured servants chose where they would travel to, but whoever paid their voyage would decide what master they were sold to. A second type of indentured labor is that in which the contract is signed as part of an apprenticeship into a trade.
- 4) Debt Bondage / Peonage is where the worker is unable to leave because s/he is working in exchange for paying off a debt. The debt may be incurred for various reasons, including borrowing to pay for a major event such as a funeral or a wedding, or for passage to the worksite. Hypothetically, a worker could borrow an amount of money that can be paid off in a reasonable amount of time. In this case they are working off a debt but not in bondage / peonage. However, debt bondage usually includes paying a wage that is unfair given prevailing wages for similar work, charging exorbitant interest rates on the debt, and/or charging inflated prices for the initial debt or for goods and services that the debt bondsman must purchase while in the service of the creditor. Debt bondage is

- therefore either for a defined amount of debt, or for a defined period that is extended because the worker is unable to pay off the debt.²
- 5) State Coordinated unfree labor is a form in which the state goes beyond intervening in or regulating the structures in which unfree labor takes place, and actually runs the system of unfree labor itself. There are various types of state coordinated unfree labor, including prison and/or convict labor³, military labor⁴, and concentration camp labor. Workers in these types of unfree labor are sometimes engaged in work for the state itself, but have also been contracted out by the state to private employers. The state may also act as a coordinator by criminalizing the choice to exit (or refuse to enter) the labor market, e.g., through vagrancy laws.
 - 6) Trafficked Labor, while it can contain elements found in other forms of unfree labor, has emerged in the twentieth century as a result of improvements in transportation and communication technology that have occurred while at the same time restrictions on international migration have increased. This allows traffickers and employers to exploit trafficked persons through seizing their passports, threatening them with turning them into the immigration service, and making credible threats against the trafficked persons' loved ones back home.
 - 7) Tributary Labor is where members of one group of people (a nation, tribe, community, etc.) must perform mandatory service for another group. This type of unfree labor is often distinguished by the extent to which the entire group faces retribution if the obligations are not met.

² Hence what initially appears to be indentured labor can actually be, or turn into, debt bondage.

³ Again, hypothetically a worker in prison could be engaged in “free” labor; here prison labor refers to unfree labor that the state is able to carry out by virtue of the control over the prisoner.

⁴ This refers to instances where a choice not to become part of the military would result in some form of punishment, such as prison or violence.

The distinction between “free” and “unfree” labor should not be taken to mean that “free” labor cannot be characterized by many restrictions; in reality it usually is. The freedom of workers in selling their labor power may even be restricted to a degree that is relatively extreme, but still falls short of the above definition of unfree labor. One example that pushes at the boundary of these definitions can be found in the “workfare” system in the United States today. Workfare is a system in which those receiving public assistance are required to accept a work assignment if they are unable to find a job. In this workfare assignment, they do not receive a wage but rather continue to receive the benefits that they were previously eligible for based on their need. Here the intervention of the state is used to push people who have not successfully participated in the labor market into working for remuneration and in conditions that fall below the legal and/or prevailing standards. While at first glance this supports the argument that workfare is a form of unfree labor, the mechanism at work is still that of the threat of starvation. So in fact it falls into the category of “free” labor, albeit in a highly restricted form.

Undocumented workers face a similar situation: the legal restriction on their participation in the labor market means that they are only able to exchange their labor power with the limited set of employers who are willing to violate this restriction. Employers may then, and often do, use this as a means of offering working conditions and remuneration which are lower than that which would be offered in the wider labor market and/or are required by the law. But again, despite the state’s role in limiting the opportunities available to a set of workers, the central mechanism at work (with limited exceptions) remains the threat of not finding another job. Where other examples of restrictions occur, their classification as “free” or “unfree” should likewise be decided on the basis of the mechanism by which the workers are compelled to labor. Again, this is with reference to their effective freedom in selling their labor power, not just what is stated in the law.

3. Vestiges of the Past

Unfree labor has often been understood as a phenomenon that has been unfortunately inherited from an earlier era. In discussing the chattel slavery that still exists in Mauritania, Suzanne Miers writes, “The disabilities of the slaves... were often described as ‘vestiges’ of slavery. The term was used by governments, by the League and UN committees, scholars, and other observers.” (420) The academic version of this view is contested by Tom Brass. He addresses authors, including Amit Bhaduri, Pradhan H. Prasad and Utsa Patnaik, for whom “the presence of bonded labor in Indian agriculture was taken as evidence of its semi-feudal character, and the corresponding absence of capitalism.” (Brass and van der Linden 18, footnote 2)

He contends that this argument takes little account of the reality that “unfree labor (is) demonstrably compatible with capitalism.” (Brass and van der Linden 19) “Such a theorization,” writes Brass, “cannot account for the continued existence or indeed the expansion of unfreedom, not just in what are undeniably areas of capitalist agriculture but also in some urban industrial contexts.” (70) Unfree labor is remarkably persistent against efforts to eradicate it, even experiencing “resurgences,” and it has at times been originally instituted by (aspiring) capitalists. Certain types of it appear to be exclusive to an era in which capitalism is not only dominant but increasingly so. As pointed out by Brass, the “vestiges” argument can therefore be understood as an assertion driven by the ideological belief “that the spread of capitalism will everywhere be accompanied by the decline of unfreedom and a corresponding expansion in the free workforce.” (18)

Scholars who examine unfree labor by taking into account the various forms it has taken, in a number of times and places, provide a counter argument to the “vestiges” theory. M.L. Bush writes, “the forms of bondage that have featured prominently in the history of

the world over the last five hundred years were not merely a legacy of primitiveness – a leftover from earlier times which societies sloughed off as they became modernized – but rather a positive, creative force.” (xi) Robert Miles, writing on the migrant labor in the mid to late twentieth century in Europe, takes a similar view, citing Philip Corrigan’s argument that “unfree relations of production cannot be explained as ‘feudal relics’, as if they were like flotsam deposited on the beach at high tide. The prevalence, scale, and longevity of unfree relations of production, and their apparent interdependence with free wage labour, require a positive explanation.” (52) One such “positive explanation” is given by theories of primary accumulation.

4. Primary Accumulation

Marx writes that “capitalistic production presupposes the pre-existence of considerable masses of capital and of labour power in the hands of producers of commodities.” (704) How is such pre-existence explained? How does a situation arrive in which one class of people has ownership of what another class needs to survive? This is the question addressed by theories of primary (“primitive,” “original” or “previous”) accumulation. “In actual history, it is notorious that conquest, enslavement, robbery, murder, briefly, force, play the great part.” (Marx 705)

The simplest version of the argument that unfree labor is used as a means of primary accumulation goes as follows: Where capitalist relations of production do not yet exist and are not easily instituted, various types of unfree labor may emerge. In such a situation, a group of people is not “free” enough of their means of subsistence to comprise the labor force that capitalists (or aspiring capitalists) envision them as. In other words, in order to meet their needs, they do not have to work for others long enough, hard enough, and cheaply enough to enable the capitalists to amass (more)

capital. Employers may then force the group into work, as a way of turning them into (unfree) workers. It is therefore a means of proletarianization, a process that transforms two groups of people into classes, with the workers dependent on the employers for obtaining their means of subsistence.

“This so called primitive accumulation, therefore, is nothing else than the historical process of divorcing the producer from the means of production,” writes Marx; “The starting point of the development that gave rise to the wage laborer as well as to the capitalist was the servitude of the laborer.” (705-706) The first distinction that must be made, however, is that between the primary accumulation that enabled capitalism to initially come into existence in Europe and the “continuing process of primitive accumulation” that enables the “reproduction and spread of the capitalist system.” (Miles 40) The latter is what Blackburn has termed “extended primitive accumulation.” (515)

In regards to the former, it is useful to review some of the history of the transition from feudalism to capitalism. In their entry on “serfdom” in [A Historical Guide to World Slavery](#), Seymour Drescher and Stanley Engerman sketch the broad contours of this transition. While noting that serfdom existed in some parts of Europe “from at least the ninth century,” they state that:

by the eleventh century serfdom was clearly in place in much of Western Europe... By the end of the thirteenth century, however, many western European serfs had become free tenants. By the fifteenth century, although vestiges of serfdom still remained, with few exceptions it was no longer very important. Precisely at the time when serfdom was waning in western Europe, much of the population in eastern Europe... was sinking into dependent status. Often called the ‘second serfdom,’ this state of agrarian servitude spread rapidly in the seventeenth century and lasted in many places well into the nineteenth century. (354)

As for chattel slavery, Blackburn describes a “secular, though not uninterrupted or uniform, decline in Western Europe between the eighth and fifteenth centuries.” Yet, he also tells us that chattel slavery in Northern Spain “reappeared in the interstices of the Christian kingdoms as they undertook the Reconquest and participated in the revived Levantine trade of the fourteenth and fifteenth centuries” (49), that “from the 1440’s onwards Portuguese voyages down the coast of Africa led to the arrival of a stream of African captives sold as slaves in the Peninsula” (52), and that “in the last decades of the fifteenth century and the early sixteenth century with the spread of sugar cultivation to the Atlantic Islands... slaves came to comprise about half the laboring population on the islands.” (78) While describing these instances of chattel slavery, Blackburn de-emphasizes their importance; this is in part because he wishes to demonstrate that it pales in comparison to the significance of the New World Slavery which took root beginning in the late seventeenth century.

To understand how the instances of unfree labor described above, even as they came into existence for a number of different reasons, still served to “clear the way for the capitalist system” (Marx 705) to emerge, we must consider the way in which serfs in western Europe lost their right(s) to cultivate land for their own subsistence. While in the fifteenth century, mercantile capitalism was beginning to emerge in western Europe and agricultural goods were increasingly imported from areas of eastern Europe where a “second serfdom” was developing (Drescher and Engerman 356) and while the Iberian powers were in the process of re-inventing chattel slavery, a process of land expropriation was also begun in Western Europe.

Federici lists the various forms by which peasants were removed from lands that they had access to: “the eviction of tenants, rent increases, and increased state taxation, leading to the debt and the sale of the land,” a new form of warfare which

“left in its wake deserted villages, fields covered with corpses, famines and epidemics ... (which) changed the agricultural landscape of Europe” (68) and the transfer of lands “in the name of religious reform” in a manner detrimental to peasants and advantageous to the “upper class.” (69) This process culminated in Europe in the sixteenth century with “enclosure,” a

set of strategies the English lords and rich farmers used to eliminate communal land property and expand their holdings. It mostly referred to the open-field system, an arrangement by which villagers owned non-contiguous strips of land in a non-hedged field. Enclosing also included the fencing off of the commons and the pulling down of the shacks of poor cottagers who had no land but could survive because they had access to customary rights. (69-70)

We see here that the end of serfdom brought about a “double freedom” in which peasants were first freed from labor obligations to the lords, but then from access to their means of subsistence.

What also should be noted is that this new “proletariat” were not always able achieve the position of “free wage laborers,” even when working in the towns and cities, and even after the industrial revolution began. Marc Steinberg tells us that “the history of British industrial capitalism is ... replete with ... examples” of “various forms of unfree labor.” He states that the “bonding of miners, for instance, was a common feature of northern coal pits until the abolition of master and servant laws in 1875; it was common as well for millworking and glassblowing through the first half of the 19th century ... bonding was one of several ways in which employers in the pottery industry circumscribed workers’ freedom.” (452-453) If we do not limit our attention to serfdom and chattel slavery, then, but instead take into account the roles of various forms of unfree labor, we find further evidence that the existence of capitalist relations is in many ways ushered along by relations of production in which workers lack even the liberty of the “free wage laborer.”

The archetypical example of “extended primary accumulation” is unfree labor imposed by colonial powers. H. J. Nieboer’s early argument that “open resources” will lead to slavery, while inadequate as a complete theory of unfree labor, can thus be seen in retrospect as an important insight into the primary accumulation process. It points to the situation in many 19th century colonies discussed by Miles in which “a major obstacle to the formation of a labor market was the option of an independent existence on the land, either for subsistence or for production for exchange.” (205) Faced with a situation in which there is no population willing to sufficiently submit to wage labor, colonialists turned to forms of compulsion and unfree labor.

Palmer provides an overview of the diverse “forms of coerced labour that the Europeans introduced in their American colonies.” They include enslavement of indigenous people in the Caribbean (xv) and parts of North America (xvii), tributary labor imposed on indigenous people in the Spanish colonies under both the *encomienda* system in which the labor was performed for an individual colonist and the *repartimiento* system in which labor was performed for a number of colonists “on a rotation basis” as well as for public projects (xvi), debt peonage that often emerged after the *repartimiento* disappeared, the capture and forced labor of indigenous people in Brazil, (xvii) the use of European indentured servants in the British colonies, and the import of Africans as slaves, the “most enduring of the coerced labor systems that the Europeans established in their overseas colonies.”

While the institution of unfree labor does appear to have paved the way for capitalist relations in the Americas, this was not simply a re-invention of capitalism in new places, but an expansion of the capitalist system established in Europe. Blackburn therefore takes a step back to look at how New World Slavery served the purposes

of capitalism in Europe. He argues that the “logic of capitalist accumulation was cramped by the narrow horizons of the rural world;” (517) and New World slavery resolved this need for expansion. After outlining the (lengthy) academic debates around the contribution of the colonies to the advance of British capitalism, and specifically to capitalist industrialization, he stakes a position that colonization, marked by the use of unfree labor, played an important role in this process. This was through providing products such as coffee, tobacco and sugar - formerly considered luxury goods - for consumption by the newly proletarianized workforce in Europe, through the provision by merchants of needed credit, through providing markets for export of early industrial products and, perhaps most significantly, through the provision of cheap raw materials such as cotton. “In this area,” he writes, “‘primitive accumulation’ can be seen for what it is ... a continuing and relentless process whereby capitalist accumulation battens on pre-capitalist modes of exploitation, greatly extending their scope, until it has exhausted or transformed them ... New World slavery was the first and least-camouflaged expression of this capitalist logic.” (554)

5. Social Reproduction and Gender

Unfree labor has been used to provide goods and services directly to the employer, but also to produce goods and services that generate wealth for the employer. In the former, where unfree labor produces only “use values” for the employer, labor is not capitalistically employed. In the latter, in which it is used by the employer in order to extract “surplus value,” the labor is capitalistically employed. There may, therefore, be important differences when considering the use and causes of unfree labor under capitalism. However, it can be very difficult to draw these lines. One example of this

difficulty is where the employer is freed from tasks of social reproduction by the unfree laborer. The use of unfree labor in this case would be not only 'productive,' but instrumentally important for the capitalist to successfully run an enterprise through which s/he *does* extract surplus value from laborers. Bridget Anderson and Julia O'Connell Davidson also show that domestic workers are sometimes used as "status symbols" and a "means of conspicuous consumption" (Anderson and Davidson 44) so that while some of their labor may not be "productive" it again can be important to the employer's success in a capitalist enterprise by establishing his/her standing among business relations.

Sylvia Federici discusses the importance of both unfree labor and the gendered labor of social reproduction in the primary accumulation processes which marked the "beginning of capitalist development." Regarding the former, she cites the *mita* and the *cuatelchil* forms of tributary labor imposed in the 'New World,' the 'second serfdom' in Eastern Europe, "the Enclosures, the Witch Hunt, the branding, whipping and incarceration of vagabonds and beggars" in Western Europe, the transport of indentured servants and convicts from Europe to America, and "on the horizon... the rise of the slave trade." (64) But concomitant with this imposition of unfree labor was the increasing confinement of women to reproductive labor "at the very time when this work was being devalued." This devaluation was a product of the end of the "unity of production and reproduction" resulting from the "demise of the (pre-capitalist) subsistence economy." She writes:

In the new monetary regime, only production-for-market was defined as a value-creating activity, whereas the reproduction of the worker began to be considered valueless from an economic viewpoint and even ceased to be considered as work. Reproductive work continued to be paid – though at the lowest rates – when performed for the master class or outside the home. But the economic importance of the reproduction of labor-power carried out in the home, and its function in the accumulation of capital, became invisible, being mystified as a natural vocation and labeled 'women's labor.' (74-75)

Federici points out that this development, reinforced by the exclusion of women from many waged occupations, the relatively low wages paid to those women who did receive them (75), and the control of women's bodies and lives through the "intervention of the state in the supervision of sexuality, procreation and family life" (88), resulted in a "unique process of social degradation" suffered by women in the transition from feudalism to capitalism. The more relevant point she makes, however, is that this "was fundamental to the accumulation of capital and has remained so ever since" (75), in that it was a "specifically capitalist use of the wage to command the labor of the unwaged." (8) The thrust of her argument is then that primary accumulation processes in which capitalist relations are constructed - so that surplus value may be extracted from "free" wage labor - include the simultaneous imposition of unfree labor and devalued labor. She offers this theoretical understanding as a challenge to the inadequate "Marxian identification of capitalism with the advent of wage labor and the 'free' laborer, which continues to hide and naturalize the sphere of reproduction." (8)

The above discussion of the gendered nature of social reproduction in primary accumulation processes and under capitalism should not be taken to mean that there is nothing more to explore about the relationships between gender, unfree labor and capitalism. There are numerous other questions about how gender shapes systems of unfree labor, and also how the latter shape the former. While only the first two will be touched on below, they include:

- The implications of the prevalence of *both* unpaid household labor and unfree labor in domestic work.
- The implications of unfree labor in the sex industry.

- Whether there are situations in which the gender makeup of an industry differs between the “free” workers and the “unfree” workers, and if so, the reasons for this.
- The experiences of women in unfree labor as distinct from those of men.
- The effect on women of having family members who work as unfree laborers.⁵

6. Beyond Primary Accumulation

The apparent contradiction of systems of unfree labor being reproduced by capitalist processes can in many cases be explained by the concept of primary accumulation, which illuminates the economic reasons why this can (or even must) happen. Yet, while numerous systems of unfree labor appearing in capitalist contexts can be classified as part of primary accumulation processes, others cannot easily be explained as such. One example, however debatable, is “the use of forced labour in Europe during wartime.” (Brass and van der Linden 70) How then are we to explain these occurrences of unfree labor?

The “world-systems” theory of Immanuel Wallerstein suggests that we re-consider the primacy of “free wage labor” in capitalism. From this perspective, extensive use of “free wage labor” is possible under capitalism, but it is neither inevitable nor the defining feature of the system. In fact, it cannot be the only form of labor that exists. One implication of his argument that “free wage labor” is not a defining feature of capitalism is that we need not resort to a theories such as that of primary accumulation to explain the existence of unfree labor, nor should we classify unfree labor as “noncapitalist.”

Wallerstein argues that:

⁵ The need for further study of the latter two points is explicitly addressed in Wendy K. Olsen’s essay - focused on the continuation of bonded labor in India - “Marxist and Neo-Classical Approaches in India,” pp. 379- 403 in Brass and van der Linden 1997.

The mixture of such “noncapitalist” behavior ... within a capitalist world-economy is neither an anomaly *nor transitional*. The mixture is the essence of the capitalist system as a mode of production, and it accounts for how the capitalist world-economy has historically affected the civilizations with which it has co-existed in social space. (1980: 32; emphasis added)

Steinberg, a proponent of this perspective, argues that: “capitalism does not necessitate ‘free labor;’” (446) that “contractually free labor ... is not a mandate of capitalist economic structures but a contingent outcome of contention between classes in a production regime;” (452) that “various forms of unfree labor are historically and regionally specific capitalist strategies to rest and maintain control of both the labor market and the labor process;” (452) that “there is no necessary or fixed relationship between free labor and capitalist development;” (487) and that “legal unfreedom is wholly capital with capitalist labor subordination (and in) some contexts ... not only compatible, but a preferable strategy for capitalists.” (487) He also states that in fact that “there is no simple dichotomy between ‘free’ and ‘unfree’ labor.” (450)

Steinberg further refers to Wallerstein in arguing that “in the development of ‘historical capitalism’ labor is exploited for the creation of commodity chains that feed the centralized accumulation of surplus through unequal exchange.” (451) Miles argues that this focus on exchange relations in the definition of capitalism, at the expense of a focus on relations of production, are a fundamental mistake. He argues:

This refusal to consider the specific nature of the *relations of production* as an essential, defining feature of capitalism is purposive ... he emphasizes the coordination of slave, serf and wage labour, along with tenant farming, in a single capitalist system. These are all considered to be proletarian positions, and the various legal apparatuses and forces of production that accompany these relations of production are defined as capitalist. (57-58)

Both Wallerstein and Miles are writing within a Marxist tradition and it is on these grounds that Miles counters Wallerstein’s positions. He writes:

Wallerstein rejects Marx’s view that the origin of the capitalist mode of production is to be found in the origin of wage labor. In rejecting this, Wallerstein is not only rejecting Marx’s formal definition of capitalism as a

mode of production but also Marx's understanding of the inner nature and dynamic of the capitalist mode of production, grounded as it is in the hidden appropriation of surplus value by means of the wage form and the transformation of that surplus into new capital which then confronts the worker as an even greater power ... the social relations of production constitute an essential and determining feature of any mode of production. (60-61)

A second, related, basis on which he rebuffs the world-systems perspective is "Wallerstein's conception of a structural tendency within capitalism which discourages proletarianization," which he says is contradicted by "the operation of the law of value in relation to the price of labor power." This is because, while "free" labor may cost the employer more than unfree labor, "it does not follow that an increase in wages necessarily leads ... to a decrease in profits," since "free" wage labor may result in a higher total value produced, so that both wages and profits can be higher. (61)

Yet, if examples are identified of unfree labor in capitalist contexts, the world-systems explanation of unfree labor is rejected, and the examples cannot be explained by primary accumulation (or the theoretical concept of primary accumulation is rejected), then we must seek alternate explanations for their existence and reproduction. Miles uses the concept of articulation of modes of production to do so.

He defines a "mode of production" as "the way in which people produce their means of subsistence" (17) of which "relations of production are considered to be an essentially defining feature." (8) He further defines a "social formation" as a "particular combination of economic, political and ideological relations and practices" (66) and argues that the "capital / wage labor relation is an essential, constitutive feature" of the capitalist mode of production. (69) Yet, capitalism may interact with different modes of production within a social formation as well as with modes of production in other social formations to form an "economic system." (66) Therefore, "we need not assume that the emergence of the capitalist mode of production is synonymous with the abolition or transformation of other

extant modes of production within either a social formation or an economic system.” (66) Rather, the interrelations or “articulation” of these modes of production must be analyzed.

Miles admits that within a “social formation” what “remains problematic is to determine the criteria by which one can decide whether or not a capitalist mode of production dominates over other modes” although he contends that this can be done by “determining not only the point at which wage relations of production have been sufficiently generalized but also the point at which commodity production as a whole (and other essential features of the capitalist mode) has been sufficiently generalized.” Given the heated debates over simply identifying the existence or absence of specific modes of production, however, defining the boundaries of various modes of production, social formations, and economic systems cannot be an easy or uncontroversial task. The usefulness of Miles’ concept of an articulation of modes of production appears limited, then, by the extent to which such “determinations” can be agreed upon.

While Brass states that “capitalism is not only compatible with unfree labor but in certain situations actually prefers this to a free workforce,” (Brass and van der Linden 57) his explanation of this differs greatly from that of the world-systems theorists. He considers ways in which the imposition or re-imposition of “unfreedom on workers whose sole property is their labour power” (71) may serve to reinforce a capitalist system. He uses the concept of “deproletarianization” to refer to this process by which workers face a “double dispossession” in which they are not only “freed” from the means of production (as is understood to occur in processes of primary accumulation), but further freed of the “means of commodifying labor power itself.” (61) He argues that this deproletarianization “corresponds to workforce restructuring by means of introducing or reintroducing unfree relations, a process of class composition/recomposition which accompanies the struggle

between capital and labour.” (71) The reason for this is “either to prevent the emergence of a specifically proletarian consciousness or to curtail (it) where it already exists.” (72)

Because such “consciousness” is not limited to a situation in which labor is “scarce,” he contends that (in contrast to Nieboer’s argument regarding “open resources” among other arguments) such restructuring may occur irregardless of labor “availability.” (74)

He emphasizes again that unfree labor under capitalism is a result of class struggle in stating that “when labour begins to act individually or to organize collectively in defense of its own interests ... capitalist employers” respond by “replacing free workers with unfree equivalents or converting the former into the latter.” Brass therefore provides us with a theory that recognizes the primacy of the capital / wage labor relation in defining a capitalist mode of production, but explains the imposition or re-imposition of unfree labor even where capitalist relations have already taken root.

7. What Can We Learn from Contemporary Instances of Unfree Labor?

A. Unfree Labor vs. Trafficked Labor

According to Kevin Bales, there are an estimated 27 million workers in unfree labor⁶ today. Free the Slaves, an organization of which Bales serves as President, reports that the majority of these workers are in debt bondage in South Asia. (See the Free the Slaves website.) Yet it is not debt bondage but trafficked labor that receives the most attention from governments and the mainstream media today. This is partially explained by the fact that trafficked labor is the most recent form of unfree labor to become widespread, and that it appears to be on the rise. Yet, governments may also be particularly motivated to address “human trafficking” for reasons that go beyond

⁶ Free the Slaves uses the term “slavery” to refer to any form of what I am calling “unfree labor” in this paper. While there are important political reasons to use the term “slavery” I continue to use “unfree labor” here for the sake of consistency.

concerns about human rights. “Their interest,” point out Anderson and Davidson, “is often grounded in concerns about irregular immigration and/or organized crime.” (6)

Among national governments, these efforts are largely led by the United States which, since the passage of the Victims of Trafficking and Violence Protection Act (TVPA) in late 2000, produces an annual report ranking the efforts of other governments to combat “trafficking in persons” (with an effective threat of sanctions against those deemed to be performing the worst) and allocates tens of millions of dollars in grants to service providers, other non-governmental organizations, United Nations agencies, other aid agencies, and national governments to fund their efforts against trafficking in persons. (See the US Office to Monitor and Combat Trafficking in Persons website.) While these efforts may be worthy of praise, they are also worthy of criticism.

The leadership on the issue exercised by the world’s “superpower” has interesting parallels to the leadership against slavery exercised by Britain, particularly throughout the 19th century. Suzanne Miers points out many of the dangers of such a situation in her 2003 book Slavery in the Twentieth Century. She describes how the British government, often pushed to exercise such leadership by anti-slavery activists, often placed “national interests” ahead of the interests of slaves in what she calls “the anti-slavery game.” (Miers 2003)

The US government’s emphasis on trafficking in particular (and especially trafficking across borders) over other forms of unfree labor can be seen in the case of Pakistan. A 2002 submission to the United Nations’ Working Group on Contemporary Forms of Slavery describes a situation in which the majority of Pakistan’s “1.7 million landless agricultural workers (haris) and sharecroppers in five districts of Sindh province” are in debt bondage (Anti-Slavery International and Human Rights Commission of Pakistan

2002). Yet the country narrative for Pakistan in the latest Trafficking in Persons Report from the US State Department makes no mention of this, reading instead:

Pakistan is a source, transit, and destination country for trafficked persons. Women and girls are trafficked to Pakistan from Bangladesh, Afghanistan, Iran, Burma, Nepal, and Central Asia for forced commercial sexual exploitation and bonded labor. Girls and women from rural areas are trafficked to urban centers for commercial sexual exploitation and labor. Women trafficked from East Asian countries and Bangladesh to the Middle East often transit through Pakistan. Adolescent boys are vulnerable to forced recruitments from local madrassas (Islamic schools) by armed groups fighting in Afghanistan and in Kashmir. Men, women, and children are trafficked to the Middle East to work as bonded laborers or in domestic servitude. (US Department of State 2004)

In recent years, trafficked workers have been defined, particularly by the United States government, as crime victims. This affords the “victims” more respect, benefits, and rights than are available to those defined as “illegal immigrants,” although perhaps less than are available to those defined as having been subject to human rights violations. But it also sets up a framework for what questions might be asked about the problem, especially when combined with the voices of advocates pressing for policies that are framed in terms of reducing “vulnerability” to the “abuse” of human trafficking. Such policies are critical, but the imagery of innocents needing protection from errant criminals who are bent on harming them does not allow for questions of why employers would resort to such a crime in the first place.

When Bales, Davidson, Anderson and others address questions of demand for trafficking, posing such questions becomes possible. Bales describes a “lack of information needed to address” questions about demand for trafficked labor, which “points to a profound need for better research all along the ‘product chain’ of human trafficking.” (Bales 2003) Given the focus on trafficked labor over other contemporary forms of unfree labor, his point is only amplified when considering attempts to understand contemporary demand for unfree labor in all its various guises.

B. Demand for Trafficked Labor

Bales constructed his estimate of 27 million workers in unfree labor by aggregating his own estimates of it in 111 countries.⁷ He uses this dataset to predict the extent of trafficking from a country using multiple regression analysis. His hypothesis is that trafficking from a country can be explained by: 1) social vulnerability; 2) population pressure; 3) poverty; 4) governmental corruption; and 5) environmental destruction. He finds support for this hypothesis in the fact that the following independent variables, deemed to correspond to the preceding explanatory factors, are positive and statistically significant in a multiple regression with “trafficking from” as the dependent variable: 1) infant mortality; 2) percentage of population below the age of fourteen; 3) proportion of the workforce in agriculture; 4) governmental corruption; and 5) extent of threatened or endangered species.⁸ (Bales 2000) In a separate piece, he refers to the work described above as an analysis of the “push” factors, and then carries out an analysis of what he refers to as the “pull” factors, by using as the dependent variable “trafficking to” a country. Here the statistically significant independent variables include: 1) proportion of destination country’s male population over age 60; 2) level of government corruption; 3) level of food production; and 4) low infant mortality. (Bales 2003)

That the terminology of “push” and “pull” factors is used is interesting in that much of the explanatory power of these variables is in their explanation of international migration of

⁷ These are more educated guesses than “estimates” in any statistical sense, albeit highly educated ones. They were constructed using reports by national governments, including the US government, by NGO’s, by the International Labor Organization, and by experts, as well as work by other work by academics and press reports, and in many cases were reviewed by experts on the country in question to adjust for the perceived validity of sources. In addition to the estimates of the number of people in unfree labor in each country, he assigns rankings of 0 to 4 to reflect the degree of trafficking from and to each country, with 0 for “no trafficking” and 4 for “regular cases of trafficking in large numbers.”

⁸ The reason for using the proportion of the workforce in agriculture as a substitute variable for poverty over other more straightforward measures of poverty is not justified. In addition, “slavery in a country” seems to be used interchangeably with “trafficking from a country.” However related, these are two different phenomena, but in discussing the variables themselves he refers to “trafficking from” and so I take this to be the actual phenomenon being analyzed.

workers, rather than of trafficking *per se*. This should not be easily dismissed, however. It points to the fact that trafficking, a particular form of unfree labor, largely results from legal restrictions on immigration (and in a few cases on emigration) imposed by states. Such restrictions result in trafficking because they lead, first, to migrants' use of intermediaries to assist them in crossing borders, intermediaries who may use the power they gain in such a situation to become "traffickers," and, second, to vulnerability of the migrants upon arrival in the destination country because they may be deemed "illegal" or be legally tied to one employer. The use of the "government corruption" variable is, then, more specific than the others in explaining trafficking, as opposed to simply international migration.

Free the Slaves may be over-generalizing when they assert that under so-called "Old Slavery" legal ownership is asserted, there is a high purchase cost, there are low profits, there is a shortage of potential slaves, there is a long-term relationship, slaves are maintained, and ethnic differences are important, and under so-called "New Slavery" legal ownership is avoided, there is a very low purchase cost, there are very high profits, there is a surplus of potential slaves, there is a short-term relationship, slaves are disposable, and ethnic differences are not important. (Free the Slaves website) These are, however, important issues to consider in assessing whether capitalists are able to devise methods of making unfree labor more profitable in specific situations than has been imagined on the level of theory.

Its useful to recall some of the reasons that free labor is theorized as preferable to unfree labor under capitalism which are related to the costs of maintaining a system of unfree labor. The importance of immigration restrictions in shaping the possibility for trafficking as a form of unfree labor may be seen in terms of controlling costs. While trafficked labor is seen as cheap labor, this is because only the costs of maintaining the

workforce are considered, since for employers the trafficking system largely serves as a means of avoiding other costs. Where traffickers are used by employers to ensure that workers pay their own transportation costs (for example, by recruiting workers who pay to be smuggled across borders based on false promises of good jobs upon arrival), the significant expenses of recruitment and transportation can be both avoided and used as a pretense for limiting the worker's freedom through an additional element of debt bondage. And where the costs of imposing vulnerability on certain groups of workers through categorizing them as "undocumented" and/or controlling borders is borne by the state, much of these costs are deflected by employers who benefit from using this pool of vulnerable workers in unfree labor.

C. Unfreedom as a Selling Point?

While other factors potentially leading to the use of trafficked labor are elaborated by Bales, a more specific analysis of demand for trafficked labor is provided by Anderson and Davidson, who analyze the conditions that lead to its use in prostitution and domestic work. These sectors were chosen because they are "highly gendered and racialized," and "largely unregulated spheres .. offering extremely poor working conditions within which domestics / prostitutes are at risk of various forms of abuse and violence." But the final reason they give for choosing these sectors is particularly interesting as it raises the issue of whether demand for trafficked labor is simply an extension of employers' demand for cheap labor, or whether there is a demand for trafficked labor as such, in which employers and/or consumers (in some cases the same people) want workers to be unfree for reasons that go beyond the possibility that this will reduce the cost of their labor:

Those who consume the labour / services of both prostitutes and domestic workers often have an interest in the person of the worker, rather than simply the end product of his / her labour. Where the consumer who buys an item of clothing or a piece of fruit or a packet of cigarettes has no interest in the

identity of the workers whose labour made these commodities available, the workers' age, gender, race, nationality, caste and/or ethnicity ... can matter a great deal to those who buy sex or employ a domestic worker. (26)

They argue that trafficked labor may be used in prostitution where there is a demand for cheap services (or to stimulate demand by providing cheap services), but also as a response to demand by repeat clients for “new” prostitutes, and to satisfy clients' demand for “compliant” workers. An example of the latter would be where “clients may find it easier to insist on unprotected sex with unfree workers.” (31) They point out, however, that there is also a counterexample to this, as “some clients do *not* wish to buy sex from prostitutes they perceive to be vulnerable, and that clients are amongst those who report cases of trafficking and abuse against prostitutes, as well as amongst those who offer assistance to victims of trafficking. (32) They also note that factors leading to trafficking in any sector, such as a combination of structural pressures on a group to migrate combined with obstacles to free movement, may be augmented in the sex industry by “discourses that sexualize certain racial or national groups” and “obstacles to independent earning within the sex trade.”⁹ They further observe that beyond other types of discrimination they face, female prostitutes face a stigma as prostitutes in which they are often treated “as a distinct class of persons, separate from other workers and/or women in terms of their rights to protection, privacy and/or self-determination.” (28)

Where the labor rights of sex workers may be suppressed through ideologies in which “the products of human labour and even human labour power itself are imagined as commodities” but “human sexual interaction is generally regulated and given meaning through reference to pre-market or non-market ideas,” domestic work may be similarly problematized; in many countries, unpaid domestic work is ‘normally’ provided by women and/or children in the household so that is often considered “not ‘work’ at all.”

⁹ They also explore the demand for sex or sexual services with pre-adolescent and adolescent children in particular, but do not come up with any strong conclusions linking these to demand for trafficked labor.

(49) And while in many countries the labor rights of prostitutes are limited in practice through deeming the work itself illegal, domestic work “is also often explicitly exempted from labour and other legislation or subject to discriminatory provisions.” (42) Both of these may contribute to the use of unfree labor in domestic work, as well as prostitution, and its acceptance, allowing such practices to continue.¹⁰ The analysis provided by Anderson and Davidson point to the usefulness of research in specific industries to understand the complex of forces that may lead to the use of a particular form of unfree labor.

D. Restricted Labor vs. Unfree Labor

An attempt towards an understanding of the contemporary use of unfree labor grounded in a specific industry and place is provided by Fred Krissman, who analyzes the continued use of unfree labor in California’s agricultural labor market. Krissman finds that the labor-intensive nature of the industry in an “advanced capitalist nation” with a relatively tight labor market caused growers to institute a process of “deproletarianization.” He argues that this process was instituted in response to somewhat successful attempts by farm workers to transform an industry that had been characterized by unfree labor and “obtain the benefits of a free labor force” in the 1960’s. (Brass and van der Linden 237) He therefore appears to be providing a specific illustration of the processes theorized by Brass described above.

Some of the ways in which the growers instituted this process of “deproletarianization” was by using farm labor contractors as intermediaries, by playing on and reinforcing racial and other divisions in California’s workforce, and in particular, by recruiting workers from countries with high rates of poverty, who as a result of immigration policy

¹⁰ Again, Anderson and Davidson look at how the issues of child labor intersect with those of trafficked labor as well as the fact that, as in prostitution, there may be a demand for “other” workers (racially, ethnically, etc.) in domestic work.

are assigned a status that renders them particularly vulnerable upon arrival. While Krissman's analysis largely demonstrates the ways in which employers in a particular industry are able to structure labor markets in a way that restricts workers' freedom, it may be less strong in the degree to which the reasons for the use of unfree labor in particular rather than a restricted form of "free wage labor" are explained.

First, he classifies undocumented workers as "unfree", and as stated above, there are valid reasons against such a classification. On the one hand, undocumented workers are present in a number of industries in California, pointing to some degree of "freedom" even for such workers. On the other hand, a subset of such workers may in fact face a number of restrictions that do effectively prevent them from leaving the particular employment situation they are in. While the lines are admittedly difficult to draw, this group should not be subsumed under the more general group of "undocumented workers." Finally, there are workers in California's agricultural labor markets who have work authorization, a fact Krissman admits but avoids addressing by stating that "those who obtain papers seek ... (to find) better employment than is offered within" California's agricultural labor market. (232) To generalize the entire workforce as "unfree," then, is problematic.

Assuming for the moment that Krissman is correct in identifying labor relations in California's agricultural labor market as "unfree," the question is then one of how such a system may be reproduced within an "advanced capitalist nation." Krissman's answer is that in order for such a situation to continue, it must be recognized that the capitalist mode of production, and the social formation in which it dominates, interacts with other systems. "The very competitiveness of the modern agribusiness sector," he writes, "is predicated upon ongoing access to immigrant labor from Third World nations, that is, the continued articulation of two modes of production." (Brass and van der Linden 236-237)

This may be, although Krissman does not sufficiently demonstrate that different modes of production dominate in the specific places where the migrants' journeys originate. For the "Third World" is not a mode of production, nor is poverty, nor is a high rate of unemployment.

But Krissman's description of a situation as the use of "unfree labor" (which I would argue should not be generalized as such) points to a major difficulty for understanding the contemporary use of unfree labor. The way in which California's growers, and employers in general, are able to structure labor markets and constrain workers' options are not at all limited to employers who turn to unfree labor. While Krissman does not explicitly state this, the argument seems to be that growers' attempts to control the labor market were so successful that they were able to restrain workers' options to the point of "unfreedom." Such an argument may hold some insight: while there is a distinct difference between unfree labor and restricted labor (both for the workers and others immediately affected as well as the impact on profits and growth patterns), employer efforts at restructuring may bring about either one as a result of historic and political circumstances, including the response of the workers and others ("class struggle") to such efforts.

E. Within Borders

Again, while the majority of workers in unfree labor today are in debt bondage within the borders of their own country, much of the discussion on contemporary instances of unfree labor centers on international trafficking in persons. I will therefore briefly review the evidence and arguments presented by Bales about unfree labor in Mauritania, Pakistan and Brazil, three of the countries he focuses on in his 1999 book Disposable People. While workers may be trafficked from and to all three countries, there is also a significant extent of unfree labor each of these nations that does not involve international

trafficking in persons, and the book does not give prominence to trafficking over other forms of unfree labor.

I. Mauritania

Mauritania became independent only in 1960. At that time, just 5% of the country lived in “urban centers.” Today, over half does. (The World Bank Group 2005) Much of this movement has been spurred on by devastating droughts (Bales 1999, p. 93). “Mauritanians suffer poverty almost beyond comprehension;” (Bales 1999, p. 96) it is the country as a whole that is poor, with a Gross National Income (GNI) per capita of only US \$400 (World Development Indicators database). In the late 1990’s, the country’s foreign debt was over \$2.5 billion. The population is made up of Arab Moors or “White Moors” originally from the north of the country, the “Afro-Mauritanians” from the South, and those of mixed descent, the “slaves and ex-slaves, called the Haratines.” (Bales 1999, p. 80)

Mauritania is thought to be the country with the highest proportion of the population in unfree labor. Bales estimates that between 250,000 and 300,000 Mauritanians are in unfree labor. (Bales 2000) Given a population of less than three million (World Development Indicators database), this means up to ten percent of the population may be enslaved. And it is a type of chattel slavery is the predominant form of unfree labor in Mauritania today. In spite of the fact that slavery has been legally abolished numerous times, slaves are “the specific property of a male member of the family,” (Bales 1999, p. 84) and the legal prohibitions seem to be largely for show. Bales describes how days before a 1997 visit in which he hoped to meet with two anti-slavery organizations (one composed of escaped slaves), the leaders of both groups were arrested and put in jail. (Bales 1999, p. 90) Because slavery is an inherited status, female slaves cost more than

males. The system, which has continued – or evolved – for as many as eight centuries, is socially enforced:

Some escaped women slaves become prostitutes and some men find a hardscrabble existence in the city, but for most freedom means starvation. In a country organized into extended families, the escaped slave is an outcast. Immediately identifiable by color, clothing and speech, an escaped slave would be asked “Who do you belong to?” by any potential employer. From the perspective of those in control of jobs and resources, escaped slaves have already proved their untrustworthiness by turning their backs on their “families,” a view shared by many slaves. (Bales 1999, p. 87)

The rural sector in Mauritania is “the main source of income for the population and employs an estimated 64% of the population.” (The World Bank Group 2005) Hence, much of the work of slaves is “herding and basic agriculture,” while women slaves “prepare food, wash and clean for the extended household.” Yet it is in the cities, where slaves do “almost any kind of work imaginable,” (Bales 1999, p. 84) that we catch a glimpse of the adaptability of the system. The rapid urbanization means an immense rate of construction in the capital city of Nouakchott and slaves “do most of the building, mixing the concrete and making the blocks by hand in rough forms, then hauling and stacking the blocks after drying.” (Bales 1999, p. 98) Bales relates a story of a small grocery store owner who brought four slaves from his home village to run his store, while “slaves left back in the home village were put to work raising produce to be sold in it” and “trusted slaves were sent south to Senegal to buy beans or vegetables wholesale.” (Bales 1999, p.99)

In the last few years, the economy has undergone dramatic changes. While mining (in particular of iron ore, discovered in the late 1950's) and fisheries “together account for nearly all export earnings”, offshore oil was discovered by an Australian company in 2001. (The World Bank Group 2005) The World Bank proclaims that “Since 1992 Mauritania has committed itself to a program of wide-reaching macroeconomic,

structural and social reforms” so that the country is now “market-driven, with solid economic growth.” (World Bank 2005) Even taking into account how small and impoverished Mauritania is, the figures are impressive. The most recent data are that trade in goods is 84% of Gross Domestic Product (GDP), export of goods and services is 38.5% of GDP, net inflows of foreign direct investment are US \$214 million, GDP growth is nearly 5%, and gross capital formation is almost 45% of GDP. (World Development Indicators database)

Could it be that in this country, which gained independence from a colonial power less than fifty years ago, and is suddenly entering into a system of global capitalism, unfree labor is being adapted in a process of primary accumulation? A trend pointed out by Bales certainly provides the appropriate imagery. He tells us that “land is being expropriated at an increasing rate” with “slaves and ex-slaves being thrown off the land they farm,” to which they believed they had some “security in their tenure.” According to him, this is caused by a fear that slavery will be ended in practice with slaves retaining control of this land (a fear seemingly confirmed by the fact that some slaves have begun to resist turning over their crops to their masters), as well as by new opportunities for the land as a result of continuing urbanization. (Bales 1999, pp. 114-115) Some of the evidence points to a conclusion that the continued use of unfree labor in Mauritania today provides an illustration of primary accumulation. The Mauritanian government, for its part, frames the issue differently; it has set up a “National Committee for the Struggle Against the Vestiges of Slavery in Mauritania.” (Bales 1999, p. 115)

II. Pakistan

The creation of Pakistan as a nation-state was a consequence of the simultaneous partition with India and independence from Britain in 1947. Pakistan is not quite as poor

as Mauritania, with GNI per capita of US \$520, but the statistics are somewhat mixed: GDP growth is 5.15%, trade in goods is 33% of GDP, exports are just under 19% of GDP, net inflows of foreign direct investment are US \$534 million and gross capital formation is 15.45% of GDP (World Development Indicators database.) Only 54.1 million of the country's 148.4 million people are in the labor force, but remittances from Pakistanis abroad account for 1.7% of GDP. (International Labor Organization, World Development Indicators database, United Nations 2002) Bales describes a caste system in Pakistan in which "late converts" to Islam, such as Muslim Sheikhs who converted "only two or three *hundred* years ago," and non-Muslims, i.e., Christians, are two of the groups that face severe discrimination. (Bales 1999, pp. 172-173)

With Bales' estimate of 2.5 million to 3.5 million people in unfree labor, Pakistan may be second only to Mauritania in the proportion of the population this represents. (Bales 2000) In 1995, Human Rights Watch reported that in Pakistan, debt bondage was "particularly common in the areas of agriculture, brick-making, carpet-weaving, mining, and handicraft production." (Human Rights Watch 1995) Child labor is also prevalent in Pakistan, and children are part of the bonded workforce. They tend to work together with their families in agriculture and brick-making, but apart from them in carpet-weaving. (Human Rights Watch 1995)

Bales focuses on brick-making and describes the *peshgi* system in which nearly all workers receive advance payment and then must work off their debt. While some workers are able to do so, and the for them debt does not constitute bondage, in other cases the *peshgi* system is used as a conscious means of keeping workers at the kilns throughout the brick-making "season" (Bales 1999, pp. 167-169) -- or longer, as some brick-makers have inherited debt, and as a consequence, bondage. (Bales 1999, p.155)

Workers may move between employers in June and December, when production temporarily ceases, but this is accomplished only by “selling” their debt to the new employer. (Bales 1999, p. 170)

Bales sketches some of the history of post-independence Pakistan in which landlords knew that land reform was coming and were fearful that land would be given to peasants if they were still resident on it. So “many landlords simply evicted the families who had lived on and worked their land for centuries.” The land reforms that did come did not help landless peasants, but rather small landlords. Consequently the newly landless “peasant families sold themselves into debt bondage” in the brick kilns, which were growing to meet the need for rapid creation of infrastructure. (Bales 1999, pp. 154-155)

Bales describes the system of debt bondage as a way of recreating, on both sides, the dependent relations of feudalism that these peasants left when they entered the kilns:

To be a vassal is to have obligations to one’s chief and to expect, at a minimum, physical protection. In the brick kilns the peshgi system is a means of creating the relationship of vassal and chief in a concentrated, if temporary form ... Peshgi is feudalism translated into short-term capitalist production. (Bales 1999, p. 174)

Again, support for a theory of unfree labor being “reconstituted” in a process of primary accumulation is evident. While both stories are still being told, the story of how debt bondage was born in the brick kilns of Pakistan appears to be echoing in Mauritania today.

III. Brazil

With a GNI per capita of US \$2,720 Brazil as a country is not as devastatingly poor as Mauritania or Pakistan. Yet the inequality is staggering: the Gini index is 61 and the richest 10% of the population has 66 times that of the poorest 10%. (United Nations 2003) Trade in goods is 25% of GDP, exports are 15.5% of GDP

and net inflows of foreign direct investment are over US \$10 billion, and gross capital formation is just under 18%. But growth in GDP has stagnated, the unemployment rate is over 9%, and the country's foreign debt is incredibly large, representing 63.8% of GDP.

Bales estimates that 100,000 to 200,000 of Brazil's 176.6 million people are in unfree labor. (Bales 2000) While the majority are held in a form of debt bondage, the system does not fit neatly into the definition above. For one thing, descriptions of unfree labor in Brazil emphasize a much more visible role of violence in enforcing the system. But in addition, Brazil is a vast country with radically different regions. This means first, that a number of different types of bondage and unfree labor are used in Brazil, in numerous industries. Bales cites cutting down the Amazon, harvesting sugar cane, mining, the sex industry, the rubber industry, cattle and timber. (Bales 1999, p. 147) It also means that the way in which many of the workers subject to unfree labor are pulled into the system has been described as "internal trafficking." (US Department of State 2004) In the charcoal making industry described by Bales, "*gatos*" recruit workers in the cities, bring them to workplaces in isolated locales far from home, and often confiscate their state identity cards and labor cards. (Bales 1999, pp. 126-128)

One of the important uses of the charcoal is in making steel. The charcoal-making industry is also part of a greater process of destructive exploitation of the forests. Bales writes that "charcoal making is a quick way simultaneously to squeeze more money from the land and clear it for cattle ranching. The only ingredient lacking in this remote area is the workers." (Bales 1999, p. 126) In

contrast with the brick-making industry in Pakistan, charcoal in Brazil can turn high profits. Bales even believes healthy profits could be made if the charcoal workers were paid as “free” wage workers. Instead, the large companies that own most of the land and control the production run the charcoal “*batterias*” pit the *gatos* against each other in a subcontracting system that drives standards down, all the way down to the level of unfree labor. Apparently, some *gatos*’ wages are even linked to production. (Bales 1999, 140-142) The motivation may be that under the brutal working conditions in the *batterias* workers would leave if they could, replacement workers are far away, and as Bales points out, *batterias* can only run for two to three years.

Brazil is a country where the use of unfree labor challenges many of the theoretical explanations presented above. In spite of José de Souza Martins’ arguments¹¹ that there are primary accumulation processes at work, the *gatos* recruit workers who are actively seeking waged work. We therefore might understand this as the process of “deproletarianization” described by Brass, but how this is a process of “class composition / re-composition” is far from clear.

The use of unfree labor makes sense to employers in the charcoal industry on an individual level; it is on a systemic level that its use is contradictory under capitalism. Since the Brazilian economy has been faltering for decades, then, perhaps one observation we can make about the relatively extensive use of unfree labor in Brazil is that it demonstrates these contradictions. It may be a contributing factor in limiting potential growth, as some employers have opted to destroy resources and people rather than generating productivity. Bales may

¹¹ “The Reappearance of Slavery and the Reproduction of Capital on the Brazilian Frontier,” pp. 281-302 in Brass and van der Linden 1997.

then be right in arguing that in Brazil's charcoal industry, the use of unfree labor won't last. "The slavery of Brazil is a temporary slavery because environmental destruction is temporary," he writes, "a forest can only be ruined once, and it doesn't take that long." (Bales 1999, p. 122)

The second observation that can be made about the use of unfree labor in Brazil is that it draws our attention to the fact that "class struggle" is not the only struggle inherent in a capitalist system. Employers and other economic actors are also pitted against each other. Brass reminds that cost-cutting is a central strategy used by capitalists to combat the tendency of the rate of profit to fall, (Brass and van der Linden 74) and Krissman reminds us that employers in labor-intensive industries are faced with a daunting challenge of remaining competitive (Brass and van der Linden 236). The subcontracting system that drives labor standards down to the point of unfree relations of production is being used in an industry that produces material inputs for production of capital goods. And this is in a country whose economy is dominant only among a group of national economies which are subordinate within the wider international economic system. The "irrational" employment of unfree labor may persist because of the need to compete for a dominant position within the global economic order.

8. Conclusion

The numerous examples in which unfree labor has existed within, and even served to advance, capitalism demonstrate that theories which view unfree labor as "pre-capitalist" are inadequate. Likewise, those that present forms unfree labor as simply additional ways in which capitalist relations of production might be

structured fail to explain why free labor dominates in certain instances and unfree labor does in others.

“Free wage labor” is widespread and must continue to expand under capitalism, which is not true of other modes of production that have existed. It may therefore be considered as capitalism’s characteristic relation of production. But various forms of unfree labor also appear to have played, and continue to play, a significant role within capitalism. Our understanding can be deepened by more analysis of the contemporary uses of various forms of unfree labor. Assessing whether processes of “extended primary accumulation” are occurring can be used to comprehend many cases of the persistence of systems of unfree labor. Other cases, though, particularly in areas in which capitalist relations are well established, do not seem to be explained by such theories.

Confronted with such cases, we must seek to understand not only the mechanisms by which the system is enforced, and the sources of workers’ vulnerability to being subject to unfree labor, but also the reasons why economic actors turn to unfree labor rather than “free wage labor.” In some cases, unfree labor may be instituted as part of a “class struggle” in which employers’ need for control over the labor market becomes dominant, at the expense of increasing commodification. We also need to look at the role of social reproduction to understand how and why certain types of labor are devalued so that these types of labor may then come to be used in systems of unfree labor. We further need to consider competitive conflict among employers and other economic actors in seeking reasons why unfree labor persists in particular industries. Finally, we

need to analyze the related political struggles that occur between nations that are battling for economic dominance.

Bibliography

Anderson, Bridget and Julia O'Connell Davidson. Trafficking – a Demand Led Problem?: A Multi-Country Pilot Study. Sweden: Save The Children, 2002.

Anti-Slavery International and Human Rights Commission of Pakistan. "Bonded Agricultural Labourers in Lower Sindh Province – Pakistan," Submission to the United Nations High Commission on Human Rights. Geneva, May 27-31 2002.
<http://www.antislavery.org/archive/submission/submission2002-pakistan.htm>.

Archer, Leonie J., ed. Slavery and Other Forms of Unfree Labor. London: Routledge, 1988.

Bales, Kevin. Disposable People: New Slavery in the Global Economy. Berkeley and Los Angeles: University of California Press, 1999.

Bales, Kevin. "The Challenge of Measuring Slavery." 2000. (Forthcoming).

Bales, Kevin. "Understanding the Demand Behind Human Trafficking." 2003 (Working Paper) http://www.freetheslaves.net/cgi-bin/axs/ax.pl?/resources/pdfs/Understanding_the_Demand.doc. Accessed April 28, 2005.

Blackburn, Robin. The Making of New World Slavery: From the Baroque to the Modern. London: Verso, 1997.

Brass, Tom and Marcel van der Linden. Free and Unfree Labor: The Debate Continues. Bern: Peter Lang, 1997.

Bush, M.L., ed. Serfdom and Slavery: Studies in Legal Bondage. Essex: Addison Wesley Longman, 1996.

Bush, M.L. Servitude in Modern Times. Cambridge: Polity Press, 2000.

Cohen, Robin. The New Helots: Migrants in the International Division in the International Division of Labor. Hants: Avebury, 1987.

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

Federici, Sylvia. Caliban and the Witch: Women, the Body and Primitive Accumulation. Brooklyn: Autonomedia, 2004.

Free the Slaves website: <http://freetheslaves.net/home.php>. Accessed April 30, 2005.

Hindess, Barry and Paul Q. Hirst. Pre-capitalist Modes of Production. London: Routledge & Kegan Paul, 1975.

Human Rights Watch. Contemporary Forms of Slavery in Pakistan. 1995.
<http://www.hrw.org/reports/1995/Pakistan.htm>. Accessed May 7, 2005.

International Labor Organization statistics from:
<http://devdata.worldbank.org/external/dgsector.asp?W=0&RMDK=110&SMDK=500007>.
Accessed May 7, 2005.

Liberman, Peter. Does Conquest Pay?: The Exploitation of Occupied Industrial Societies. Princeton: Princeton University Press, 1996.

Marx, Karl. Capital: Volume 1. Collected Works of Marx and Engels Volume 35. New York: International Publishers, 1996.

Miers, Suzanne. Slavery in the Twentieth Century: The Evolution of a Global Problem. Walnut Creek: Altamira Press, 2003.

Miles, Robert. Capitalism and Unfree Labor: Anomaly or Necessity?. London: Tavistock Publications, 1987.

Nieboer, H. J. Slavery as an Industrial System. 2nd ed. New York: Lenox Hill, 1971.

Palmer, Colin A., ed. The Worlds of Unfree Labor: From Indentured Servitude to Slavery. Hampshire: Ashgate Publishing, 1998.

Patterson, Orlando. Slavery and Social Death: A Comparative Study. Cambridge: Harvard University Press, 1982.

Richard, Amy O'Neill. International Trafficking in Women to the United States: A Contemporary Manifestation of Slavery and Organized Crime. Washington: Center for the Study of Intelligence, 1999.

Sawyer, Roger. Slavery in the Twentieth Century. London: Routledge & Kegan Paul, 1986.

Steinberg, Marc W. "Capitalist Development, the Labor Process and the Law." American Journal of Sociology 109.2 (2003): 445-470.

United Nations, Department of Economic and Social Affairs Population Division. International Migration Wallchart. 2002.
http://www.un.org/esa/population/publications/ittmig2002/WEB_migration_wallchart.xls.
Accessed May 7, 2005.

United Nations. Human Development Report. 2003.
http://www.undp.org/hdr2003/indicator/excel/hdr03_table_13.xls. Accessed May 7, 2005.

United Nations Slavery Convention. <http://www.ohchr.org/english/law/slavery.htm>.
Accessed April 9, 2005. *Referred to as the 1926 Slavery Convention.*

United Nations Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery.
<http://www.unhcr.ch/html/menu3/b/30.htm>. Accessed April 9, 2005. *Referred to as the 1956 Slavery Convention.*

United States Department of State. Trafficking in Persons Report: June 2004. Washington: 2004.

United States Office to Monitor and Combat Trafficking in Persons website:
<http://www.state.gov/g/tip/>. Accessed April 30, 2005.

Wallerstein, Immanuel. Historical Capitalism. 4th ed. London: Verso, 1989.

Wallerstein, Immanuel. The Modern World System II. London: Academic Press, 1980.

Williams, Eric. Capitalism and Slavery. 1944. New York: Russell & Russell, 1961.

The World Bank Group. Mauritania Country Brief. 2005.
<http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/AFRICAEXT/MAURITANIAEXTN/0,,menuPK:362350~pagePK:141132~piPK:141107~theSitePK:362340,00.html>.
Accessed May 2, 2005.

World Development Indicators database: <http://devdata.worldbank.org/data-query/>
Accessed May 7, 2005.