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A framework for the Declaration for the rights people of African Descent

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Thank you, Mr. Chair,

Excellencies

Ladies and Gentlemen

It is an honor for me to address you on behalf of the Working Group of Experts on People of African Descent. We are gathered here today to begin to discuss and develop a framework for the Declaration for the rights of people of African descent. My presentation today will focus on the issue of land rights, and why land rights should form the cornerstone of such declaration.

Throughout the diaspora, people of African descent continue to suffer from many multiple, aggravated or intersecting forms of discrimination. Many have lost the basic human right to their legal identity and as such remained invisible in laws, legislation and policies. They are denied recognition and have been subjected to the ideology of racism that demonized and denigrated all things African. More worryingly, racism and racial discrimination continues to blight the futures of Afro-descendants worldwide. Inequality and discrimination still attach themselves parasitically to people of African descent.

Allow me if you will, to start my presentation with a tweet that was sent out by Her Majesty's Treasury on February 9, 2018. The tweet revealed that in February 2015 the British Government completed repaying the loan of £20 million that it borrowed to compensate enslavers so that they

would agree to the Emancipation of the enslaved peoples in 1834. Positioned as a “Did You know?”, the tweet claimed that *“In 1833, Britain used £20 million, 40% of its national budget, to buy freedom for all slaves in the Empire. The amount of money borrowed for the Slavery Abolition Act was so large that it wasn’t paid off until 2015. Which means that living British citizens helped pay to end the slave trade.”*

Apart from its self-congratulatory tone, the tweet is troubling and distasteful on many levels.

First, is the shocking revelation that taxpayers in Britain, including hundreds of thousands of Caribbean nationals (and I will admit some of whom are relatives of mine) whose ancestors were enslaved by the British, and whose labor helped to build Britain, helped to pay the interest payments on the loan that paid the socially and politically connected enslavers.

Second, the tweet shows the intergenerational link with slavery. According to a report in the Guardian, “most of the bonds are owned by small investors. Of the 11,200 registered holders, 7,700 investors hold less than £1,000 nominal, and 92% of holders own less than £10,000 each.” Simply put, Britain, and those in invested in slave abolition bonds, continue to benefit today.

Third, not to be ignored is the suggestion that it was the size of the loan that made it take so long to be paid off, when we now know that it was because of the continuous capitalization of the loan, the last of which occurred in 1927 by the then Chancellor of the Exchequer, Winston Churchill

Fourth, the tweet distorts Britain’s true role in the transatlantic trafficking and enslavement of Africans. Britain’s role did not start with the emancipation of slavery. It started with the kidnapping, exploitation and dehumanization of millions of men, women and children. Ladies and gentlemen, people of African descent worldwide will continue to be invisible if their history and contributions to the development of modern civilization are not properly documented and made known to all concerned. The goals of the International Decade will not be achieved when

states continue to devalue the history and memory of Africans. In the program of activities of the decade, States must ensure *“that textbooks and other educational materials reflect historical facts accurately as they relate to past tragedies and atrocities, in particular slavery, the slave trade, the transatlantic slave trade and colonialism, so as to avoid stereotypes and the distortion or falsification of these historic facts, which may lead to racism, racial discrimination, xenophobia and related intolerance”*

In fact, the noticeable trend, it seemed, is that some states are suggesting to Afro-descendants that they should forget the past injustices meted out to the 30 million African men, women, and children, who were trafficked across the Atlantic Ocean. Just recently, it was reported in the Jamaica Gleaner that the British Minister of state with responsibility for the Caribbean, the Commonwealth and the United Nations, Lord Tariq Ahmad stated “I think it’s not important looking back in history...It’s about looking forward”. He further suggested that “it would be better for Jamaica to look ahead and to maximize its potential through robust trade rather than to peer into history.” The minister, it seemed, was echoing the sentiments of the former British Prime Minister David Cameron who, in his speech to Jamaica’s Parliament in 2015, suggested it was time for the Jamaican people to move on, and not to look back at the past. I find it surprising that the comments of both Lord Ahmad former Prime Minister Cameron, leaders of one of the top three countries that benefited from the enslavement and exploitation of Africans, and in whose current economies there are companies and families today can be directly linked to the profits gained from the transatlantic trade are expressing such views. Contrary to the sentiments posited by both men, the International Decade instead strongly calls for a critical re-examining of the impact of slavery on the future of people of African descent and using the outcome of that analysis to inform policies and programs for sustainable development in the diaspora.

i will go further to suggest that their disparagement of historical observations have not been equitably displayed. Compare the recent celebrations of “Remembrance Day” in the UK. Each November, the (UK) honors the heroic efforts, achievements and sacrifices that were made in past wars. Remembrance Sunday is also marked by events such as memorial services, church

services and parades. A national commemoration takes place at Whitehall in central London and monuments have been built in their memory”. The building of these monuments is recognition of the contributions of those who served in the wars.

While many remain outraged by the tweet others are using the opportunity to revisit the compensation payout and to renew the call for reparatory justice for the injustice of compensating enslavers but not the enslaved.

Many of you may have read the result of the research by the team from University College, London that showed that 50% of the £20 million compensation money stayed in the UK, and was distributed among 3,000 people. The other 50% was distributed among planters in the colonies. It is interesting to peruse the parish breakdown of the compensation recipients across the British Caribbean. It will be seen that two countries, Jamaica and Guyana, that at varying times have been labelled the poorest in the region, had some of the wealthiest planters in the 19th century, representing 37% and 26% respectively of the total compensation package. Think what difference that money could have made to these countries.

When converted to modern equivalences, the £6.12 million paid to enslavers who filed claims for 311,455 enslaved people in Jamaica would amount to a mind-boggling sum of £4.55 billion. For Guyana, enslavers filed claims for 84,074 enslaved Africans and received a largesse of £4.28 or £3.18 billion in today’s money. Of the sums mentioned above, we know that enslavers invested in cultural institutions, built palatial country houses across Britain, invested in the railroad industry among other commercial ventures, and invested throughout the Empire. Britain, and the descendants of those enslavers continue to benefit today from those investments.

And what did enslaved people from Jamaica, Guyana, and the rest of the Caribbean get? What kind of investments did they make to realize their hopes and expectations of freedom, and more importantly, to secure a future for their offspring?

I think we all know the answer to that question, but I will proceed to answer it anyway. The people of the Caribbean have struggled to retain collective control of their land. They have struggled against the forces of colonialism and neo-colonialism that have sought to establish foreign ownership. The initial process of colonization involved the theft of native land. Enslavement and subsequently emancipation did not put an end to the plantation system in the British Caribbean. Distinctive features such as a powerful White elite ruling class, an agriculturally-based economy, violent retribution, a labor force tied to plantation labor and uneven/unrepresentative land ownership were still in effect during the post-emancipation period. Colonial planter policies, attitudes and legislation were designed to restrict land ownership. Legislations such as the Ejectment and Trespass Acts imposed high rents on freed blacks and were reinforced by a virtual veto on selling land to former enslaved people.

So, whereas Britain compensated its already wealthy planters, landless emancipation characterized the future of the freed black population in the Caribbean. As such, the demand for land justice was a common call throughout the post emancipation period and this was evident in a letter sent by the freed of St. Ann, Jamaica, to the Queen of England in 1865. In response, they were told that any alleviation of their condition stems from “their own industry and prudence, in availing themselves of the means of prospering that are before them, and not from any such schemes as have been suggested to them, that they must look for an improvement in their condition.” This should not come as a surprise to anyone. After all, the rationale for enslavement and colonialism was the dehumanization and exploitation of black bodies. But more importantly, we should begin to acknowledge that emancipation was not an event, but a process which continued well into the next century. For the reality of the black experience in the Caribbean was landlessness, and in Jamaica, it was precipitous decline of peasant holdings to 1961.

The situation was similar in North America after emancipation. In June 1865, some 40,000 freed Africans were settled on some 400,000 acres of land in Georgia and South Carolina. Later that Summer, President Andrew Johnson reverses the policy and ordered the land be returned to the confederate planter oligarchy. That same year, Congress established the Freedman’s Bureau

providing for the redistribution of abandoned or confiscated lands to freedmen (not to exceed 40 acres). However, it should be pointed out that the Freedman's Bureau never controlled more than two tenths of 1% of the land in the U.S. South and President Johnson's amnesty proclamation forced restoration of much of that land. Congress discontinued the Bureau in 1872. Other attempts at facilitating/expanding black ownership of land failed. Fierce opposition to Black land ownership in the South, meant that significant obstacles were placed in the path of Black farmers on the state level. Major General Rufus Saxton former assistant commissioner of the Freedmen's Bureau's testified before the U.S. Congress's Joint Committee on Reconstruction in 1866, that

“The object which the freedman has most at heart is the purchase of land. They all desire to get small homesteads and to locate themselves upon them, and there is scarcely any sacrifice too great for them to make to accomplish this object. I believe it is the policy of the majority of the farm owners to prevent Negroes from becoming landholders. They desire to keep the Negroes landless, and as nearly in a condition of slavery as it is possible for them to do.”

Compare this attempt to restrict black ownership of land to the US Congress's passage of the Homestead Act in 1862, which accelerated Western migration by providing white settlers with 160 acres of public land. The Act led to the distribution of some 80 million acres of public land by 1900. All in all, the long-term effect of this policy of dispossessing blacks in the US is seen recent a study by the U.S. Department of Agriculture which show that Black farmers own less than 3 million acres of farmland and comprise less than 1% of all U.S. farmers. Moreover, of all private U.S. agricultural land, whites account for 96% of the owners, 97% of the value, and 98% of the acres.

The situation is more or less the same for our brothers and sisters in Latin America. 33 years after Brazilian President Jose Sarney argued for a new land-redistribution plan, land redistribution remains of the great unresolved issues of our time. Consider, for a moment that the

Top 2% of landowners control 68% of the land (Brazil)

- 70% of rural households are landless or nearly landless (Columbia)
- Top 1% of landowners control 41% of arable land (El Salvador)
- 66% of rural households are landless or nearly landless (El Salvador)
- Top 1% of landowners control 80% of arable land (Paraguay)
- 85% of rural households are landless or nearly landless (Paraguay)

I will go further. a third of the land granted in concessions for mining oils, agro-industrial or forestry in Latin America belongs to indigenous peoples and people of African descent. the expansion of mining and petroleum activities in Columbia, Bolivia, Peru and Chile is giving rise to increasingly frequent and intense conflicts with these communities. In Columbia, banana and palm oil plantations have been established on lands from which Afro-Colombian communities have been violently evicted.

Recommendations:

Poverty, according to Nelson Mandela, “is not an accident. Like slavery and apartheid, it is man-made and can be removed by the actions of human beings.” Ladies and gentlemen, the issue of landlessness that have plagued people of African descendant populations worldwide is not an accident. In keeping with CERD General Recommendation 34, which posits clearly people of African descent’s right to property, conservation and protection of lands traditionally occupied by them and to natural resources in cases where their ways of life and culture are linked to their utilization of lands and resources, I therefore recommend that

- 1) Member states to actively consider, and where possible, to institute legislation on an Ancestral Rights Bill for people of African descent.

2) member states should guarantee the recognition, titling, and demarcation of land belonging to people of African descent, which is aimed at resolving all outstanding land claim issues within historically Black communities.

3) member states should remove the bureaucratic obstacles that prevent people of African descent from rightfully claiming their land. Case in point: In Peru, indigenous peoples and people of African descent must overcome 27 bureaucratic hurdles and wait a decade to obtain legal recognition of their territory while it takes a company just seven steps and less than three months to obtain a mining concession. Between 2007 and 2015, only 50 titles were approved for indigenous/people of African descent territories, while more than 35,000 mining concessions were granted.

In closing, please allow me to echo the words of the great American poet, Langston Hughes, in one poem titled, *Democracy*.

I have as much right

As the other fellow has

To stand

On my two feet

And own the land

I tire so of hearing people say

Let things take their course

Tomorrow is another day

I do not need my freedom when I am dead

I cannot live on tomorrow's bread

I live here, too

I want freedom (I will take the liberty to say I want land)

just as you.

Ladies and gentlemen, as we deliberate this framework for the Declaration for the Rights of People of African descent, let us all be pioneers of the future, and not prisoners of the past. To

those former colonial powers, to their descendants who continue to benefit from the exploitation of African bodies, to those who create policies and legislations that exclude people of African descendants, the fight for the dignity of black lives, will be the determining fight of this 21st century. Black lives matter.