

DATA COLLECTION & SOCIAL JUSTICE: PEOPLE OF AFRICAN DESCENT

©Verene A. Shepherd, The University of the West Indies
24th Session of the WGEPAD
United Nations, Geneva, Switzerland
March 25-29, 2019

(Please mark against delivery)

Excellences, members of the Office of the High Commissioner for Human Rights, Members of the WGEPAD and its Secretariat, fellow CERD member Pastor Murillo, representatives of NGOs and Civil Society, a very good morning to you. I thank the WGEPAD for inviting me to be a part of this Session; and congratulate them for the work that they continue to do to bring Recognition, Justice and Development to people of African descent in this Decade for people of African descent and ancestry. [SLIDE 2]

It is fitting that this public session of the WGEPAD has accommodated this panel discussion within the context of Data and Social Justice. Social justice, if dispensed, has the potential to result in social cohesion, respect and reconciliation, critical imperatives that are needed to actualize the type of society envisioned by the programme of activities for the International Decade.

There are different meanings and definitions attached to social justice, of course, but most view it as a concept of fairness in the assignment of fundamental

rights and duties, economic opportunities, and social conditions. On each annual “Social Justice Day” in February we are reminded by the United Nations that “social justice is an underlying principle for peaceful and prosperous coexistence within and among nations”; that “we advance social justice when we remove barriers that people face because of gender, age, race, ethnicity, religion, culture or disability. The economic egalitarian aspect of this definition was reiterated in this year’s theme: “If You Want Peace & Development, Work for Social Justice.” [\[https://www.un.org/en/events/socialjusticeday/\]](https://www.un.org/en/events/socialjusticeday/). Political philosopher John Rawls, theory of justice is grounded in this egalitarian approach.¹ (Rawls, 1971).

A big obstacle to the construction of societies built on social justice and egalitarianism, however, is racial discrimination, defined by the ICERD as “any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.” **[SLIDE 3]** Dr Reid’s presentation on Tuesday provided a panoramic survey of the contemporary manifestations of social injustice by using the UNDP’s Human Development Index [HDI] to show the unequal development of a sample of countries around the world. What was stark was the low indices for some countries in the global South.

Based on the discussions so far, we have all agreed that to address the inequalities at a policy level, one needs reliable data; data that have the potential to alert policy makers to the critical areas of social adjustment. The collection of data is essential to the implementation of the articles of the ICERD, the programme of activities of the UN International Decade for People of African Descent, and the recommendations of the Durban Declaration and Programme of Action. Data collection through whatever methodology [and there are various – Slide 4] allows for the recuperation of the history and experiences of African people in the Diaspora and for targeted solutions to social injustice. For example, archaeologists have been critical allies to the Historian and to the State in allowing enslaved Africans whose voices have been silenced by colonial acts of violence to speak from the graves, providing proof of their existence, origins and cultural roots, cultural retentions and means/causes of death. [SLIDE 5]

But today, I will not speak about digs, censuses, oral history, polls and surveys. As over the past few days we have been studying data showing the almost global presence of Afrophobia and anti-black racism, I thought I would demonstrate the historical roots of this phenomenon. For example, the tendency to target black men for extermination has a long genealogy; so is the tendency to regard all black men as potential criminals. I focus on the ways in which Historians, intent on excavating knowledge from deep layers of distortion and

silences have provided us with the evidentiary basis for lobbying for greater social justice for people of African descent whose ancestors were victims of a historical crime against humanity. In the process, they have also provided us with icons for memorialization. And I will touch on that briefly. My presentation will be a mixture of quantitative and qualitative data to present information that can be used to link historical tragedies with the call for social justice or a remedy for historical wrongs. My disciplinary location is History and my standpoint is that, with the best methodologies in the world, statisticians and quantitative scholars need the insight of History to contextualize the data they present. [SLIDE 6]. But my main point is that contemporary social injustice has historical roots and we have to engage in a Sankofa-like process of going back to fetch and understand that what we are experiencing in post-colonial societies and pro-colonial societies are the lingering legacies of colonialism.

REPOSITORIES: Where do Historians get their data?

Among the best repositories of the type of data that Historians require for this purpose are the British Library [SLIDE 7] and the British National Archives [SLIDE 8] which hold well-preserved data on most parts of the world, especially the UK's former and current colonies. [SLIDES 9, 10]. Other repositories that I have used over the years are the Cambridge University Library, the Main Library of the University of the West Indies and the National Library of Jamaica (a deposit

Library). [SLIDES 11, 12, 13, 14]. I spent several decades in these repositories of data trying to understand the roots of the contemporary state of the Caribbean, its underdevelopment and the genealogy of its racist foundations. So as you can see, these repositories indeed yielded the data necessary, quantitative and qualitative data, critical to understanding the racist foundations of Caribbean History.

In addition to these sources of data are online sources such as the UCL Planter Compensation Database using the Treasury Records in the British National Archives that Dr Reid discussed in his presentation and the David Eltis et. al Slaver Database [SLIDE 15]. This Database, originally published as a CD-ROM in 1999, has been available in a new and greatly expanded format on an open access website since December 2008 and is periodically updated as new information becomes available. It includes detailed information on over 35,000 transatlantic slave trading voyages that occurred between 1520 and 1866 as well as estimates of the overall size and direction of the trade. [SLIDES 16, 17, 18] show the route taken by slavers, the estimated numbers trafficked to the Americas, with Brazil the single highest recipient, the African origins of the captives and the mortality rate on the ships.

What these sources demonstrate overall is that:

- Slavery was born of racism (not the other way around as Eric Williams argued)
- Colonialism, with African enslavement at its core, shaped the life chances of Africans
- The superstructure was built on racist laws and practices that affect Africans to this day.

The information provided by Elsa Goveia in her article on “The slave laws of the West Indies” leaves us in no doubt that, as she writes: “Early English slave law almost totally neglects the slave as a subject for religious instruction, as a member of a family, or as a member of society, possessing some rights, however inferior. Insofar as the slave is allowed personality before the law, he is regarded chiefly, almost solely as a potential criminal; included few protective clauses.”² [SLIDES 19, 20]

Another of the manifestations of the racist superstructure of chattel enslavement was the colour chart based on what today is the “one drop” rule, upheld to hierarchize the plantation societies in the Americas. SLIDE 21, taken from the work of Kamau Brathwaite (*The Development of Creole Society in Jamaica*, 1971), needs very little explanation, so stark is it in its illustration of skin-shadism.

Two Wars for Liberation & Justice

I wish to now use two concrete examples to demonstrate the types of quantitative data that are possible from the records of the National Archives and the British Library, viz., the 1831/32 Emancipation War in Jamaica in which as many as 1000 people died, whether in battle or in the post-war retribution; and the Morant Bay War of 1865 during which the British colonial forces murdered over 400 people in Eastern Jamaica who lobbied for social justice because of the racist superstructure of colonial society. The aftermath of wars can provide us with much-needed data to understand the nature of colonialism, the legacies of which persist in today's Caribbean as Dr Reid demonstrated.

First, the final emancipation war in Jamaica. This war was by an enslaved man, Samuel Sharpe, and erupted on the night of Tuesday December 27, 1831. The immediate reason for the war was that the Boxing Day sit down strike, aimed at forcing wages for work, failed to get the desired result. The overall cause was the desire for freedom from centuries of enslavement. The fighting lasted from December 27, 1831 to January 1832 and involved close to 60,000 men and women, the majority enslaved, from 300 properties in the parishes of St. James, Trelawny, St. Ann, Westmoreland, Hanover, Manchester, St. Elizabeth, Portland, St. Thomas-in-the-Vale and St. Thomas-in-the-East. [SLIDE 22 – MAP OF JAMAICA]

It was eventually suppressed by the superior fire power of the British military forces and their allies, with heavy retribution for those involved. This is evident from the arrests, trials and punishment, a sample of which is shown in **Slides 23-26]**

A Wesleyan missionary named Murray, an eyewitness to the hangings, recorded as follows: **[SLIDE 27]**

“The gibbet erected in the public square in the centre of the town was seldom without occupants, during the day, for many weeks. Generally, four, seldom less than three, were hung at once. The bodies remained, stiffening in the breeze, till the court martial had approved another batch of victims... [The executioner] would ascend a ladder and with his knife sever the rope by which the poor creatures were suspended and let them fall to the ground. Other victims would then be... suspended in their places and cut down in their turn... the whole heap of bodies remaining just as they fell until the workhouse negroes came in the evening with carts and took them away, to cast them into a pit dug for the purpose, a little distance out of town.”

Based on the official estimates (it could be more some say 1000), over 600 black people and their free supporters were killed, over 300 during the war and some 332 executed after “trials” by the Slave Courts and the Courts Martial;³ 14 Whites were killed; 12 wounded and one tried and sentenced for his involvement.⁴ Three free mixed race men were killed and 2 wounded. Fourteen free people were also tried and convicted for their role in the war including persons described as ‘brown’).⁵ Of those executed, 28% were shot and 72% hanged.⁶ Others were transported, whipped and/or imprisoned. Here is what we can summarize from the data in the CO/137/185 at the UK National Archives.

SLIDE 28] shows that *631 people were tried, 593 males about 24 females* and just around 14 whose genders were not recorded. The parish averages have not yet been ascertained because of spotty parish data but the overall average indicated from a preliminary calculation was 37. Of the 631, about 117 were deemed “African” and 429 as “Creole”, with a significant number classified as “other.” The activists were “tried” in two types of courts, the majority by courts martial as opposed to what were called “slave courts”. As expected, guilty or not (and not guilty please were overwhelmingly ignored), the majority were executed by hanging – 332 **[SLIDE 29]** Other forms of punishment were flogging, imprisonment, deportation. Intriguingly 65 were acquitted.

THE MORANT BAY WAR FOR SOCIAL JUSTICE:

The details of this war, led by Paul Bogle, are perhaps better known than those of the 1831/32 Emancipation War, but its suppression at the direction of Governor John Eyre, was no less brutal. The evidence is recorded in a royal commission report of 1866. This 2 SLIDES **[30, 31]** provide a sample of what is contained in the punishment lists – name and sex of the activists, where and how they were killed. I have tried to summarize the data as we have them, but sources differ on numbers and other data. **[SLIDE 32]** Still, from the data available it would appear that 415 in

all were killed, the majority (over 60%) by hanging and the majority (381) being males.

MEMORIALIZATION:

The POA suggests ways in which States can memorialize the victims of these and other such tragedies and several have done so, honouring activists with individual or collective monuments [SLIDES 33, 34, 35]. But the POA also urges countries that profited from and/or were responsible for the enslavement of Africans and the Maangamizi (African Holocaust) and colonialism and past tragedies to give recognition to the victims and their descendants through the establishment of memorial/cultural sites [SLIDE 36]; some States have done this, two being France and the Netherlands [SLIDE 37]. The UN also led by example with the Permanent Memorial in New York unveiled in 2014. [SLIDE 38]

The data I have presented should help to convince more countries that have not yet done so, of the need to intensify their efforts to establish such sites in an act of remorse and reconciliation. There are reasons to forget and reasons to remember; there are strategies to erase memories and there are strategies to keep them alive. But forgetfulness equals impunity and that impunity is both morally outrageous and politically dangerous.

JUSTICE WITHIN THE REPARATION MOVEMENT:

So what do we do with these data? With this information given to us by the very colonizers? Reparatory justice has long been suggested as one way for relevant States to repair the harm done because of the terror of colonialism. Both the POA for the International Decade and the DDPA refer to the link between justice and reparation, [SLIDES 39, 40]

The policy and practice of reparatory justice has been a feature of European/Caribbean jurisprudence and history for over two centuries. Started by enslaved Africans, carried on by Rastafari, individual politicians and Civil Society advocates and now joined by academics, newer politicians and governments (e.g. CARICOM), it has always been conceived of as a way to redress wrongs, current or historic, achieve peace and reconciliation, and clear precedent exists as we know and as Dr Reid discussed in his presentation. As Martha Biondi observes in her recent article “The rise of the reparations movement”, “Reparations—for the transatlantic slave trade, slavery, sexual slavery, genocide, colonialism, apartheid, disfranchisement, and the multiple other forms of racial discrimination and exploitation- offers an innovative and compelling way to move beyond inadequate and besieged civil rights discourses, to revive black-led global anti-capitalist and anti-imperialist projects, and to radically intervene in the discourse of globalization. We have seen the intensification of the reparation discourse among Democratic candidates in the USA hoping to be the next President [SLIDE 41]; Ta-Nihesi Coates is reportedly

more optimistic now about the possibility; Mexico has written to Spain and the Pope demanding reparation for native genocide and Universities are seeking to make amends through one way or another and even cartoonists have entered the conversation. [CLOVIS, SLIDE 42]

The CARICOM Reparation Commission [SLIDE 43] continues its work, working alongside the Centre for Reparation Research at the UWI, and via the Ten Point Action Plan, to seek a non-confrontational strategy for repair and reconciliation. [SLIDES 44, 45]. It is a Development Plan aimed at cleaning up the colonial mess and assisting countries left behind to achieve a level of development that will allow them to be better able to implement plans to build societies based on greater equity and social justice. As Sir Ellis Clarke put it in 1964: [SLIDE 46]

“An administering power...is not entitled to extract for centuries all that can be got out of a colony and when that has been done to relieve itself of its obligations by the conferment of a formal but meaningless – meaningless because it cannot possibly be supported – political independence. Justice requires that reparation be made to the country that has suffered the ravages of colonialism before that country is expected to face up to the problems and difficulties that will inevitably beset it upon independence.”

In the end, according to Mick Dodson, Aboriginal and Torres Strait Islander Social Justice Commissioner,

“Social justice is what faces you in the morning. It is awakening in a House with adequate water supply, cooking facilities and sanitation. It is the ability to nourish your children and send them to school where their education not

only equips them for employment but reinforces their knowledge and understanding of their cultural inheritance. It is the prospect of genuine employment and good health: a life of choices and opportunity, free from discrimination.” (*Annual Report of the Aboriginal and Torres Strait Islander Social Justice Commissioner, 1993*)

A development plan located within the right to development framework of the UN and supported by historical data about past tragedies, can form the basis of improved social justice for descendants of victims of slavery and the TTA as provided for in POA of the International decade for people of African descent. If we do not make progress with the movement, then the consequences might not be what we want. HIM Haile Selassie and later Bob Marley put it this way:

“That until the philosophy which holds one race superior and another inferior is finally and permanently discredited and abandoned: That until there are no longer first-class and second class citizens of any nation; That until the color of a man's skin is of no more significance than the color of his eyes; That until the basic human rights are equally guaranteed to all without regard to race; That until that day, the dream of lasting peace and world citizenship and the rule of international morality will remain but a fleeting illusion, to be pursued but never attained... Until bigotry and prejudice and malicious and inhuman self-interest have been replaced by understanding and tolerance and good-will; Until all Africans stand and speak as free beings, equal in the eyes of all men, as they are in the eyes of Heaven; Until that day, the African continent will not know peace. We Africans will fight, if necessary, and we know that we shall win, as we are confident in the victory of good over evil.” [SLIDE 47]

NOTES

¹ John Rawls, *A Theory of Justice* (Harvard 1971)

² Elsa Goveia, *The West Indian Slave Laws of the 18th Century*, republished in Hilary Beckles & Verene Shepherd, eds., *Caribbean Slavery in the Atlantic World: A Student Reader* (Kingston,), Chapter 42

³ Mary Turner, *Slaves and Missionaries: The Disintegration of Jamaican Slave Society, 1787-1834* (Illinois, 1982), p.161

⁴ UK National Archives, C.O. 137/185, 'A return of the number of white persons wounded and killed in the late revolt in Jamaica'.

⁵ UK National Archives, C.O. 137/185, 'A return of every freeman tried and convicted, thereof, distinguishing in separate columns'.

⁶ Michael Craton, *Testing the Chains: Resistance to Slavery in the British West Indies* (Cornell, 1982)

DRAFT