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IDENTIFICATION AND DEFINITION OF "PEOPLE OF AFRICAN  
DESCENT" AND HOW RACIAL DISCRIMINATION AGAINST  
THEM IS MANIFESTED IN VARIOUS REGIONS

Working Paper prepared by

Ambassador P.L. Kasanda  
Chairperson of the Working Group of  
Experts on People of African Descent

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Note: The opinions expressed in this paper are those of the author.

## INTRODUCTION

1. The first session of the Working Group on People of African Descent took place in Geneva from 25 to 29 November 2002. At that session, I undertook to submit a paper to the second session on the topic: Identification and Definition of People of African Descent and explore how racial discrimination is manifested in various regions. I am now pleased to hereby submit the paper in question.

2. However, before one identifies and defines the special group that is the subject of this paper, it is necessary to define the concept of racial discrimination. In accordance Article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination, racial discrimination means "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 equal footing of human rights and fundamental freedom in the political, economic, social cultural or any other field of public life". Thus racial discrimination consists in reprehensible behaviour and actions by one individual or group of people directed at another individual and/ or group of people on account of their on race, colour, descent, etc...thereby infringing their human rights and fundamental freedoms. Historical experience has established that those who have suffered such discrimination are: indigenous peoples, people of African descent, people of Asian descent and other disciplined persons. It is in this hard framework that the identification and definition that people of African descent who have continued to suffer discrimination should be considered.

### I. IDENTIFICATION AND DEFINITION

3. The slave trade took place over a period of four centuries i.e. from the 16<sup>th</sup> century to the 19<sup>th</sup> century when it was abolished. In essence, the slave trade was of two kinds: European slave trade and Arab slave trade. The European slave trade drew slaves from the whole of the west coast of Africa from what is now Senegal to Namibia. Their destination was mainly the Western hemisphere and a small number to Europe. The largest number of slaves were transported on the trans-Atlantic route. The other and the smaller of the two drew slaves came from the interior of West Africa, East Africa and parts of Southern Africa. Their destination was mainly the Middle East and some islands in the Indian Ocean <sup>1</sup>.

4. The estimation of the total number of the slaves exported to the Western hemisphere varies from one source to another. Certain figures suggest that the final number was very high indeed. For example, between 1680 and 1786 a total of 2.13 million<sup>2</sup>. Africans were exported to the British colonies of America and the West Indies, an annual rate of 20,095. About the year 1790 the total number of Africans exported by European countries to the Western hemisphere reached an average of 74,000<sup>3</sup> a year. Between 1690 and 1820, a total of 800,000<sup>4</sup> Africans were exported to

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<sup>1</sup>. See « The Slave Route », A UNESCO project on the causes, mechanisms and consequences of the slave trade.

<sup>2</sup>. Encyclopedia Britanica 1961.

<sup>3</sup>. Op. Cit.

Jamaica alone. These figures do not include those who died in transit and those who died before the start of the voyages.

5. Most of the slaves went to South America and the Caribbean and somewhat smaller numbers went to Central America and United States.

6. People of African Descent maybe defined as descendants of the African victims of the Trans-Atlantic and Mediterranean Sea slave trade. The group includes those of the sub-Sahara slave trade. Descendants of the victims of the trans-Atlantic trade live primarily in the Diaspora of North, Central and South America and the Caribbean. In 1996, for instance, their number in Latin America was estimated at 150 million<sup>5</sup> or approximately a third of the total population of the area. However for the definition to be completed, it must also include Africans and their descendants who, after their countries' independence emigrated to or went to work in Europe, Canada and the Middle East where they also experienced racial discrimination suffered by those who live in Western European countries.

## II. MANIFESTATIONS OF RACIAL DISCRIMINATION IN LATIN AMERICA AND THE CARRIBBEAN REGION

7. Racism and racial discrimination against the people of African Descent in South and Central America is not generally perpetrated through overt means. On the contrary national constitutions prohibit discrimination based on race, gender or religion. However, there are usually no effective forms of legal protection.

8. The practice of racism and racial discrimination is subtle and takes many forms of which the following are the most important.

### 1. Historical Bias against Blacks.

9. Racial philosophies defined by several 19<sup>th</sup> and early 20<sup>th</sup> century thinkers considered blacks as inferior species that needed to be eradicated if possible or at least segregated from white people. For example, Jose Ingenieros, an influential Latin American sociologist from Argentina, declared in his book, *La Locura*, that "Blacks are beings who seem to be closer to anthropoid apes than to civilized men and that all that is done in favour of the inferior races is antiscientific. At most one might protect them so that they die out agreeably."<sup>6</sup>

10. Another writer Jose Carlos Mariátegui, a Peruvian wrote:

"The contribution (to national culture) of the Black who came as a slave appears to be even more worthless and negative. The Black brought with him his sensuality, his superstition, and his primitive nature. He is not in a condition to contribute to the creation of any culture instead to obstruct it through the crude and living influence of his barbarity."<sup>7</sup>

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<sup>4</sup> . Ibid.

<sup>5</sup> Background Paper prepared by Cowater International Inc. for the Inter-American Development Bank, p. 17.

<sup>6</sup> . Op. cit P. 35.

<sup>7</sup> . Ibid. p. 35.

It is such attitudes that have contributed greatly to racism and racist behaviour towards the people of African descent leading to discrimination against them in all areas of human activity such as education, employment, housing and many others.

## 2. Invisibility

11. Invisibility is a method of minimizing or erasing the contribution of black people to the nations in which they live or attributing such contribution to Europe and Europeans only. Invisibility is also the art of withholding information on black contributions and experiences in history books, in national statistics and publications so as to paint a picture in the public mind that people of African descent contribute nothing to national development and are incapable of participating meaningfully in the life of their countries. The following are some of the areas in which the phenomenon of invisibility manifests itself:

12. In the arts – music and dance, black music such as samba, tango etc are referred to as Latino implying a mestizo-creole origin and thus denying its African origin and its black/African roots.

13. Invisibility also denies the role played by people of African Descent in wars of independence and hides the black origins of early political leaders

- **Invisibility in national cultures:** National cultures in Latin America, with very few exceptions, are assumed to be founded on European Creole experience. This perpetuates social prejudices and discrimination against people of African descent. Nations are presumed “white”, while those not falling under this category like people of African descent become marginalized giving rise to a permanent underclass in the societies.
- **The media:** Invisibility in the media accounts for the absence of a significant number of black people from TV screens except when they are portrayed in servile or unflattering roles or as entertainers or athletes.
- **Population and development planning:** Invisibility in this area means that no effort is made by authorities to gather statistical information according to ethnic groups. People of African descent are simply lumped together with the rest of the population. This stifles development programming for the most needy communities. This situation denies people of African descent an opportunity to become a target group for donor agencies because they are lumped together unjustifiably with the rest of the population.

## 3. Economic Disenfranchisement

14. This is a long-term process that limits choice and retards upward mobility thereby producing and reproducing poverty. This situation is brought about by discriminatory policies by governments. There is, for example, lack of investment for social or economic infrastructure in geographic areas with black or predominantly black communities. These areas become isolated in terms of communications and transport.

15. In the educational sector, quotas disadvantage black people. For example, in Uruguay between 1900 & 1956, the National University graduated only 6 blacks<sup>7</sup> a pattern replicated all over Latin America.

People of African descent are disadvantaged further through national policies that:

- Prioritise credit and technical assistance for agriculture and big businesses preventing blacks who own land from utilizing it and forcing them to sell it cheaply;
- Exclude blacks from participating in decision making on issues affecting their regions and/or preventing black communities from benefiting from taxes generated in communities they live in;
- Expropriate ancestral lands for purposes of national parks or sale to private individuals.
- Discriminate in favour of whites in the granting of title deeds to land;
- Discriminate in employment by using mechanisms that effectively exclude chances for people of African descent e.g. criteria of "good appearance", which in effect is a euphemism for "whiteness".

16. The result of this discrimination is the locking of people of African descent into stereotyped economic roles: women as domestic servants in private homes and men as sweepers, janitors and as low skilled construction workers.

#### **4. Dislocation from an African past**

17. Constitutional guarantees existing in many countries in Latin America declaring equality among races, genders and religions. In practice, however, this is not so. The dominant white ruling elites continue to exclude people of African descent from participating freely in the economic life of their countries. Latin American societies prevent people of African descent from learning about their past except in the context of slavery or servitude under European descendants. Blacks learn nothing about Africa, as history books do not reflect this. School textbooks do not teach African or Afro American history or black contribution to the world except in roles of "Black" slaves.

#### **5. The so-called "solapado" factor**

18. This is hidden racist behaviour that reflect lack of opportunities in fields that do not "suit" the social stereotype e.g. paucity of black taxi drivers, bank clerks and government clerical staff even in cities where black people are in the majority.

19. The result of these forms of discrimination is to marginalize the black population socially and economically. As a result, the people of African descent end up as the poorest of the poor in society.

## 6. Summary

- The African Diaspora in North and South America can be categorised as follows:
- In the Caribbean region, black people are generally in the majority and control government institutions. Here there is no observable discrimination against people of African descent except probably at a personal level.
- There are a group of countries where people of African ancestry are in the majority but the government is controlled by minority white elites or others e.g. people of Indian descent. The African majorities in these countries experience many of the forms of racial discrimination described earlier.
- The third category is a situation such as in USA and Brazil where Afro descendants are clearly in a minority. Racial discrimination and/or separation of whites from blacks was structured. In the USA race-based criteria directed public policy until the 1964 Civil Rights Act, which outlawed legal segregation. Significantly, however, this Act did not outlaw racial discrimination against black people in private clubs.

### III. MANIFESTATIONS OF RACIAL DISCRIMINATION IN WESTERN COUNTRIES

20. European slave traders believed then as the majority of their descendants still do, i.e. that black Africans were or are "sub-humans" a people without a culture or ancient knowledge of themselves and therefore fit to be traded for profit. This is a form of racism.

21. The silence about the slave trade and unwillingness by Western powers to acknowledge the immorality of the trade and their refusal for reparations to victims of the slave trade is in itself a manifestation of racism and racial discrimination, compared with their attitude vis a vis human tragedies like the Jewish Holocaust.

22. The story of the slave trade, which has been properly described as, a "black hole" in the history of humanity is missing in Western school textbooks and where necessary the slave trade is only furtively explained away as just another episode in European – African relations. History books are also silent on the political economic and cultural contribution, which descendants of the slave trade have made to the well being of the countries in which they live.

23. Racial profiling exists, although it is vehemently denied by all those who practice it, as a form of racial discrimination. People of African descent in Western

societies are placed at the bottom of social ladder. In the ladder of slavery enslavers perpetrated so-called black codes or "codes noir" specifically to describe the relationships between white enslavers and black slaves.

24. In Western countries, racial discrimination against minority black people manifests itself in all areas of social, economic and cultural activities. This has been extensively documented by the Commission on Human Rights Special Rapporteur on Contemporary Forms of Racism, Racism, Racial Discrimination, Xenophobia and Related Intolerance and could also be illustrated by periodic reports submitted to the Committee on the Elimination of Racial Discrimination by State parties to ICERD.

### **1. Employment**

25. In both public and private sectors, a person of African descent has fewer opportunities in finding a job than his white counterpart. And those with jobs do not receive equal pay for equal work. Moreover, black people have fewer chances of progression than their white counterparts: "Our product does not reconcile with your colour," a white manager is heard telling a prospective employee who is black! Sometimes "good appearance" is required as criteria for those seeking employment.

### **2. Housing**

26. Since people of African descent are almost always the poorest of the poor in Western societies, they tend to live in "inner cities" or "ghettos". These localities suffer from lack of investment in social services such as education, transport, health systems and communications.

27. Due to poverty and underdevelopment these areas become breeding grounds of crime and drug usage. As a product of initial policy of exclusion of and indifference to the needs and aspirations of people of African descent, an underclass of largely black people develops, characterized by illiteracy, undernourishment and drug addiction, etc.

28. People of African descent lucky enough to have received a good education also suffer the consequences of the phenomenon of "racial profiling". They are discriminated against in the allocation and /or renting of properties that are deemed to fall within prime, high cost or white areas.

### **3. Public Amenities**

29. People of African descent experience all forms of discrimination in access to hotels, swimming pools, private clubs, eating-houses, etc. "Right of Admission Reserved" is a condition invented to exclude black from enjoying the same rights as other races. Moreover, membership fees to social clubs are usually and unreasonably pegged at very high levels with the object of excluding low-income people the majority of whom are people of African descent.

#### 4. Law Enforcement

30. The socio-cultural ideology inherited from the slavery and colonial periods that depicts a black man as somebody with unacceptable social behaviour continues to characterise the activities of law enforcement officers. Here again, a person of African ancestry is presumed to be crime-prone. And in any event, he is the prime suspect and investigations must start with him before other races are probed. This is a form of racial bias against people of African descent. It is common knowledge that black people form the majority of the victims of the criminal justice system in America. Black people are routinely arrested and sent to jail, on trumped up charges and are often the victims of violence by law enforcement officers.

#### 5. Summary

31. In general racial discrimination against people of African descent occurs in the form of under provision of social services in areas in which they predominately inhabit. There are smaller budgets for health, education and housing sectors. People of African descent also suffer discrimination in the difficulties they encounter in the unequal access to the justice system and unequal land distribution.

### IV. MANIFESTATIONS OF RACIAL DISCRIMINATION ON THE AFRICAN REGION

32. The posture of the major European slave trading powers: Britain, France, the Netherlands, Spain, Portugal, Germany and Italy, was borne out of their disparagement of Africa and the black people that inhabited the continent. The continent's slave trade left Africa depleted of its able bodied populations. Such was the demand for slaves and the encouragement given to the reproduction of this labour force that by the nineteenth century the Africans and their descendants accounted for over a third of the inhabitants of the Americas. Hundreds of thousands of Africans were sold into bondage across the Sahara and beyond the Mediterranean Sea and across the Indian Ocean to slave owners in the Middle East. The slave trade permanently deprived Africa of a human resource that would have otherwise contributed to production of wealth on the continent.

33. Then came the period of colonialism and imperialism that fed on the labour of the native rather than the slave. Colonial exploitation of the natural resources of Africa deepened the political economic and cultural dislocation and sowed seeds of poverty and underdevelopment that among other ills have plagued post independence Africa.

34. Then came the period of colonialism and imperialism that fed on the colour of the "native" rather than the "slave". Colonial administrations continued their prejudices against black people, this time on the African continent itself. Natives were valued only in as far as they contributed to the creation of wealth for the metropolitan colonial power. Natives were separated from white people. The quality of services provided for the natives was inferior to that provided for the whites who had their own schools, hospitals, residential areas and public amenities reserved exclusively for their own use.



35. Natives were restricted in their movement by a system of "Pass" laws, which prescribed where and when black people could go. Infrastructure development in the rural areas where the majority of the natives lived was nothing compared to the urban and/or commercial areas where the settlers lived.

36. Political activities were banned to ensure that the native populations did not challenge the power of the colonial regime.

37. The sum total of these historic injustices have no doubt contributed to the situation of poverty, underdevelopment, marginalisation, economic disparities, instability and continued conflict in Africa.

## CONCLUSION

38. That the people of African descent have been one of the groups that have historically suffered and continue to suffer discrimination is not in question. Throughout the centuries black Africans have been subjected to some of the most inhuman and degrading experiences. Out of slavery, the slave trade and colonialism, imperialism emerged. The catch around this time was that the characterization was to the native rather than the slave, but there was no national change: the relationship still remained that of the rider and the horse.

39. The world of the 21<sup>st</sup> century must confront these historical injustices and their legacy. The international community must build on the growing relations to place human values such as human rights cultural pluralism and democratic governance at the very centre of global focus.

40. The people of the world have a challenge and this challenge involve deepening our spiritual roots, increasing our sense of interconnectedness and also our inter connection with our environment. We must continually keep vigil over our democratic processes and governance. No member of the international community should therefore bow out of their responsibility, which includes moral and material support to initiatives at the national, regional and global levels directed at the levelling of the ground for fair play in human relationships. In this respect, the Western powers have a historical responsibility to join in the struggle to connect the wrongs of the past and eventually to realise the dream for complete human freedom.