The Plight of the Haratin

Introduction

Mauritania, officially the Islamic Republic of Mauritania, is a country of North Africa bordered by Western Sahara and Algeria in the north, Mali in the east, and Senegal in the south. The eleventh largest country in Africa by size, it is also one of the least densely populated, with only 3.5 million inhabitants (according to the 2013 census) and over 1 million square kilometres, 90% of which is desert. The Haratin people are the largest minority in Mauritania, numbering between 40 and 50% of the total population. They are of sub-Saharan African origins, in contrast with the Arab-Berber dominant class, and constitute socially and ethnically distinct strata of sedentary workers. Whether they are slaves, indentured labourers, or freemen, overall the Haratin hold a low-caste social position in Mauritania. There are also Haratin in parts of Morocco and Western Sahara, and some have migrated to Senegal. The other sub-Saharan ethnic groups in Mauritania are the Toucouleur, the Peul, the Soninke, and the Wolof.

Historical and Political Background

The enslavement of Black Africans by Arabs begun in the 8th century and accelerated from the 11th century onward, as the political situation of the area became more stable and slavery and the caste system became institutionalized. There was limited contact with Europeans until the 16th century with sporadic raids by Portuguese transatlantic slave traders, yet until the 19th century Mauritania was deemed inhospitable by Europeans. In 1858, France entered treaty relations with local leaders, but it was not until the early 20th century that colonisation began in earnest, and by 1912 the French military had conquered most of Mauritania. For the Haratin, there were little improvements under French colonial rule despite the Circulaire Ponty of 1 February 1901 abolishing the right of a master to pursue and recover a slave. In 1906, the abolition of slavery in all French colonial possessions was just as ineffectual, as thousands of slaves in West Africa escaped only to be returned to their masters by the French administration. The International Labour Organization (ILO) and the League of Nations launched initiatives in the 1920s to tackle the question of ‘slave-like’ conditions, leading to the Anti-Slavery Convention in 1926, followed by the Forced Labour Convention in 1930.

The first elected head of state of Mauritania, Mokhtar Ould Daddah, became President of the Executive Council in 1958, then Prime Minister in 1959, and President of the newly independent Islamic Republic of Mauritania in 1961. The Mauritanian Constitution was adopted, with the incorporation of the Universal Declaration of Human Rights tacitly abolishing slavery. Daddah formalised Mauritania as a one-party state in 1964, and he was re-elected uncontested until a coup led by army commander Mustafa Ould Saled in 1978 brought to power a military junta. In 1979, another coup saw Saled replaced by Colonel Muhammad Louly, succeeded by Mohamed Khouna Ould Haidallah in 1980. A new law was passed in 1981 to abolish slavery once more, albeit with the provision that slave owners, not slaves, would receive compensation. Thus Mauritania was the last country in the world to abolish slavery; however, the law fell short of the international precedent of criminalising the practice. Furthermore, it soon became apparent that the concern with oppressed groups which resulted in the establishment of the law was merely a tactic to prevent the new regime from being threatened.

In 1984, Haidallah was deposed by Colonel Maouya Ould Sid’Ahmed Taya, who remained in power until another military coup lead by Colonel Ely Ould Mohamed Vall in 2005. This period was marked not only by political instability but also extensive ethnic violence and human rights abuses. Between 1990 and 1991, a campaign of extreme violence took place against a background of Arabization, interference with black Mauritainians’ association rights, expropriation, and slavery. The Mauritanian Government exacerbated ethnic tensions further by deporting tens of thousands of black
Mauritanians, many of whom still reside in refugee camps in Mali and Senegal. The exact number of expulsions is not known, but the United Nations High Commissioner for Refugees (UNHCR) estimates that, as of June 1991, 52,995 Mauritanian refugees were living in Senegal and at least 13,000 in Mali.

In 2007, Sidi Ould Cheikh Abdallah became president following the first fully democratic elections in Mauritania, soon to be deposed by General Mohamed Ould Abdel Aziz during a coup in 2008. Aziz is the current President of Mauritania, having been elected in 2009.

Law and Religion

Mauritanian society has remained traditional due in part to the high proportion of agricultural labourers and the relative isolation of most communities in this vast, sparsely populated land. The geography makes laws difficult to enforce for the government based in Nouakchott. Since 1980, the Mauritanian legal system has been based on Islamic law and jurisprudence as interpreted by local judges. A High Council of Islam composed of five individuals and appointed by the President advises on legal matters at the President’s request. The judiciary also includes the lower courts, labour and military courts, the Court of State Security, a six-member Constitutional Council, a High Court of Justice, and a Supreme Court, the highest court of appeal, which deals with administrative as well as civil matters. On the subject of the legal status of slavery, Mauritania has added reservations to several international human rights instruments on provision that are contradictory to Sharia Law. Legal provisions are further undermined by conditions stipulating that third-parties cannot file complaints on behalf of slaves, thus hampering NGO efforts to combat slavery.

Many Islamic scholars in Mauritania still advocate for the legality of slavery and hinder social change. However, other Islamic scholars have repeatedly pointed out that the Qur’an describes all Muslims as brothers and equal in each other’s eyes, and therefore religious texts that are not regarded as sacred and advocate slavery should be dismissed. In Mauritania, however, these views are in the minority, despite the Constitution stating that all citizens are of equal rights and standing. The dominant classes in particular use the apocryphal Mukhtasar al-Khalil, a legal text of Islamic tradition which conflicts with the Qur’an’s stance on equality, to justify slavery. In 2012, prominent antislavery activist Biram Dah Abeid burned copies of the text on the street as a public gesture to highlight this discrepancy and assert the illegitimacy of Mukhtasar al-Khalil. He was subsequently arrested and tried for apostasy, but the trial was never completed and the Mauritanian government has since pledged to raise awareness of Islam’s condemnation of slavery. This decision can be seen as a way to appease the international community following worldwide outrage at Abeid’s arrest.

Slavery in Mauritania

At present, we estimate that about 20% of Mauritania’s 3.5 million residents (up to 600,000 people), i.e. half of Mauritania’s Haratin population, are de facto slaves. Due to a persistent culture of denial among the ruling elite and the authorities – the majority of which are Beydanes, or Arab-Berber – most attempts to raise awareness of the practice are stifled. In addition, no Haratin option exists on national census forms, and traditional indications of slavery such as shackles are not visible, for practices including modern serfdom, debt bondage and domestic servitude have taken over.

Modern-day slavery is common practice in Mauritania despite the fact that slavery was abolished several times in recent history: in 1905 by French colonial authorities; in 1961 after the Universal Declaration of Human Rights was incorporated into the Mauritanian Constitution; and with the 1981 Abolition of Slavery Decree. Mauritania criminalised slavery in a landmark 2007 Anti-Slavery Law under considerable international pressure; the law institutes prison sentences of 5-10 years for slaveholders and 2 years for apologists of slavery. Whilst welcomed by the UN Special Rapporteur on Slavery in her 2010 report, it was noted that the law inadequately defines slavery and provides no initiative to support freed slaves in building a new life. In 2012, Mauritania was the first country to qualify slavery as a crime against humanity. However, the enforcement of these laws is undermined by the requirement that slaves must file legal complaints themselves to trigger prosecution, as NGOs are not allowed to make complaints on their behalf. Since the act does not include any measure for publicising its provisions to the general population, many Haratin have never heard of the law criminalising slavery, are still unaware of the abolition of slavery, and regard the practice as normal.
Mauritanian authorities insist that only the ‘last vestiges of slavery’ remain, despite all evidence pointing to the contrary. In 2011, the government implemented a decree stipulating that all domestic workers had to be offered reasonable contracts by their employer, thereby tacitly recognising the plight of domestic workers in slavery-like conditions, but the effects of this decree remain to be seen. Later that year, the first conviction under the Anti-Slavery Law was made, and only a handful of cases have been to trial and resulted in convictions since. Indeed, the government’s measures against slavery have been largely symbolic, even though it seems to acknowledge the lingering effects of slavery in official publications. In 2013, for instance, the Mauritanian government opened the “Tadamoun” National Solidarity Agency for the Fight Against the Vestiges of Slavery, for Integration, and for the Fight Against Poverty. Its director Hamdi Ould Mahjoub stated in an interview that “if the agency has evidence of a case of slavery, any practice of slavery, we have the authority to be the advocate for the slave. But, since the agency was created, no cases have been reported to us.” He added: “Slavery as an institution, as something accepted by society, does not exist.”

In spite of its legal criminalisation, slavery is still rife. According to the US Department of State’s Country Report on Human Rights Practices for 2015, “Slavery-like practices, which typically flowed from ancestral master-slave relationships and involved both adults and children, continued throughout the year. Former slaves and their descendants remained in a dependent status [...] Some former slaves reportedly continued to work for their former masters or others under exploitative conditions to retain access to land that they traditionally farmed.” The report continues: “Both NGO observers and government officials suggested that deeply embedded psychological and tribal bonds made it difficult for many individuals whose ancestors had been slaves for generations to break their bonds with former masters or their tribes. Some persons continued to link themselves to former masters because they believed their slave status had been divinely ordained or feared religious punishment if that bond was broken.”

The Global Slavery Index 2014 compiled by Walk Free Foundation ranks Mauritania 31st of 167 countries by absolute number of slaves and 1st by prevalence, with 4% of the population reported enslaved. The Mauritanian government comes 121st out of 167 in terms of combating modern slavery because of its denial that slavery exists in the country. In an interview, the Mauritanian Minister of Rural Development Brahim Ould M’Bareck Ould Med El Mocar responded to accusations of human rights abuses by saying that “in Mauritania, freedom is total: freedom of thought, equality – of all men and women of Mauritania... in all cases, especially with this government, this is in the past. There are probably former relationships - slavery relationships and familial relationships from old days and of the older generations, maybe, or descendants who wish to continue to be in relationships with descendants of their old masters, for familial reasons, or out of affinity, and maybe also for economic interests. But (slavery) is something that is totally finished. All people are free in Mauritania and this phenomenon no longer exists.”

Even in cases where Haratin slaves have secured their freedom, they often remain economically, culturally, and psychologically dependent on their former masters. They are routinely discriminated against and often have limited access to economic opportunities or services such as education and healthcare, and they are the poorest fraction of Mauritania’s population. This perpetuates widespread belief in Mauritania that the Haratin are inferior to their Arab-Berber counterparts. Those who have been freed face persistent discrimination and political marginalisation.
Antislavery movements and IRA

Haratin human rights defenders try to raise the profile of the issue of slavery through advocacy and lobbying, as well as attempts at implementing actions to urge the authorities to enforce existing legislation. Anti-slavery activists and human rights defenders in Mauritania are regularly met with a lack of cooperation and even repression from the authorities. Although grassroots NGOs seek out the enslaved and, with their consent, bring many to the authorities, instead of redress they often face arrest, physical abuse and detention on false charges. The leaders of peaceful sit-ins and demonstrations protesting the failure to observe the Anti-Slavery Law are particularly targeted with violence and intimidation, and report receiving death threats and being put under surveillance. The authorities also refuse anti-slavery NGOs the ability to register as official civil society organisations, in addition to attempting to infiltrate and co-opt anti-slavery NGOs through bribery or other means.

Those who report such stories also receive threats. For example, the director and staff of the Tqadoumny news agency have spoken about being repeatedly harassed, imprisoned and beaten for condemning the government’s inaction in regards to slavery. The only member of the Mauritanian Human Rights Commission to represent the Haratin (in an advisory role) found his position untenable and has since resigned, leaving no Haratin representative on the Commission. Other cases include the detention of Haratin newspaper editors and journalists critical of the government, and the killing of activists protesting against the lack of inclusion of Haratin in the national census. Officials have also been fired because of their involvement in Human Rights advocacy.

The leader of the Initiative for the Resurgence of the Abolitionist Movement (IRA-Mauritania) Biram Dah Abeid was relieved of his post as Senior Adviser to the President of the National Commission for Human Rights and told by the Director of Public Liberties of the Ministry of the Interior to cease his fight against slavery or he would face prosecution and imprisonment for “illegal activities.” Abeid founded IRA in 2008 to gather anti-slavery activists together and coordinate abolitionist actions, but the government still refuses to this day to recognise and register IRA as an association, regularly harassing and arresting its members on charges of belonging to an illegal organisation. Other charges usually include threatening national security and good morals, inciting racial hatred and social division, and disrespecting Islam. In fact, the Mauritanian government’s policy of utter denial culminates in Mauritanian officials refusing to meet IRA members under the IRA affiliation on the grounds that no such organisation exists. In August 2016, 13 IRA activists have been sentenced to 3 to 15 years in prison after a bogus trial, having been arrested following riots in the slums of Nouakchott in June. None of them were present at the time, and they were targeted purely because of their membership to IRA and their stance against slavery.

Abeid has become the face of antislavery in Mauritania. He has been imprisoned several times, was runner-up in the 2014 Presidential elections, travelled the world to receive human rights prizes for raising awareness of the plight of the Haratin, and given interviews to major international news outlets. From January 2015 to May 2016, Abeid and IRA vice-president Brahim Bilal Ramdhane were imprisoned on charges of belonging to an unrecognized organisation, leading an unauthorised rally, and violence against the police. Abeid’s supporters are growing in numbers and September 2016 even saw the creation of an organisation called IRA-Mali to coordinate efforts across borders. Since its creation, IRA has helped to put about twenty slave owners in jail, though often for brief terms. As other owners hear about the arrests, they sometimes release their slaves in a ripple of fear. Working through a network of nine thousand activists, IRA has freed thousands of slaves around the country, who Haratin often refer to as Biram Frees. The organisation works with former slaves on rehabilitation and vocational training programmes, and supports the children of former slaves with literacy projects for example.

1 Abeid won the Front Line Award for Human Rights Defenders at Risk and the UN Human Rights Prize in 2103. He was interviewed among others by BBC Radio, Slate, The New Yorker, Liberation, and Jeune Afrique.
2 http://www.newyorker.com/magazine/2014/09/08/freedom-fighter
Conclusion

The Haratin people of Mauritania endure harsh living conditions and discrimination. Slavery is still rife and the practice remains entrenched in Mauritanian society. The overwhelming majority of slaves are Haratin women and children who are “inherited” by slave-owning families from one generation to the next. Despite recent legislation outlawing slavery, criminalising the practice, and making slavery a crime against humanity, these are not enforced and the government resists attempts by NGOs and individuals at tackling the issue. Freedom for slaves and their children is no panacea either, for they are often denied access to education, economic advancement, and political representation.

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