

*Slavery in the Chocolate Industry*¹

Forty-five percent of the chocolate we consume in the United States and in the rest of the world is made from cocoa beans grown and harvested on farms in the Ivory Coast, a small nation on the western coast of Africa. Few realize that a portion of the Ivory Coast cocoa beans that goes into the chocolate we eat was grown and harvested by slave children. The slaves are boys between 12 and 16—but some- times as young as 9—who are kidnapped from villages in

surrounding nations and sold to the cocoa farmers by traf- fickers. The farmers whip, beat, and starve the boys to force them to do the hot, difficult work of clearing the fields, harvesting the beans, and drying them in the sun. The boys work from sunrise to sunset. Some are locked in at night in windowless rooms where they sleep on bare wooden planks. Far from home, unsure of their location, unable to speak the language, isolated in rural areas, and threatened with harsh beatings if they try to get away, the boys rarely attempt to escape their nightmare situation. Those who do try are usu- ally caught, severely beaten as an example to others, and then locked in solitary confinement. Every year unknown numbers of these boys die or are killed on the cocoa farms that supply our chocolate.

The plight of the enslaved children was first widely publicized at the turn of the twenty-first century when True Vision, a British television company, took videos of slave boys working on Ivory Coast farms and made a documentary depicting the sufferings of the boys. In Sep- tember 2000, the documentary was broadcast in Great Britain, the United States, and other parts of the world. The U.S. State Department, in its *Year 2001 Human Rights Report*, estimated that about 15,000 children from the neighboring nations of Benin, Burkina Faso, Mali, and Togo had been sold into slavery to labor on Ivory Coast farms. The International Labor Organization re- ported on June 11, 2001 that child slavery was indeed “widespread” in Ivory Coast and a Knight-Ridder news- paper investigation published on June 24, 2001 corrobo- rated the use of slave boys on Ivory Coast cocoa farms. In 2006, *The New York Times* reported that child slavery continued to be a problem in West Africa. In 2007, *BBC News* published several stories on the “thousands” of chil- dren who were still working as slaves on cocoa farms in Ivory Coast. *Fortune Magazine* in 2008 reported that slav- ery in the Ivory Coast was still a continuing problem, and a *BBC* documentary entitled *Chocolate: The Bitter Truth*, broadcast on March 24, 2010, a decade after the use of slave boys in the chocolate industry was first revealed, showed young boys were still being used as slaves on the cocoa farms of the Ivory Coast.

Although slavery is illegal in the Ivory Coast, the law is poorly enforced. Open borders, a shortage of en- forcement officers, and the willingness of local officials to accept bribes from people trafficking in slaves, all contrib- ute to the problem. In addition, prices for cocoa beans in global markets have been depressed most years since 1996. As prices declined, the already impoverished cocoa farmers turned to slavery to cut their labor costs. Although prices began to improve during the early years of the twenty-first century, cocoa prices fell again in 2004 and remained low until the summer of 2010 when they again began to rise.

The poverty that motivated many Ivory Coast cocoa farmers to buy children trafficked as slaves was aggravated

by other factors besides low cocoa prices. Working on isolated farms, cocoa farmers cannot communicate among themselves nor with the outside world to learn what cocoa is selling for. Consequently they are at the mercy of local middlemen who drive out to the farms, buy the farmers' cocoa for half of its current market price, and haul it away in their trucks. Unable to afford trucks themselves, the farmers must rely on the middlemen to get their cocoa to market.

Chocolate is a \$13 billion industry in the United States which consumes 3.1 billion pounds each year. The names of the four largest U.S. chocolate manufacturers— all of whom use the morally “tainted” cocoa beans from the Ivory Coast in their products—are well known: Hershey Foods Corp. (maker of Hershey's milk chocolate, Reeses, and Almond Joy), M&M Mars, Inc. (maker of M&Ms, Mars, Twix, Dove, and Milky Ways), Nestlé USA, (maker of Nestlé Crunch, Kit Kat, Baby Ruth, and Butterfingers), and Kraft Foods (which also uses chocolate in its baking and breakfast products). Less well known, but a key part of the industry, are the names of Archer Daniels Midland Co., Barry Callebaut, and Cargill Inc., all of whom serve as middlemen who buy the beans from the Ivory Coast, grind and process them, and then sell the processed cocoa to the chocolate manufacturers.

While all the major chocolate companies used beans from Ivory Coast farms, a portion of which relied on the labor of enslaved children, many smaller companies avoided using chocolate made from Ivory Coast beans and instead turned to using chocolate processed from “un- tainted” beans grown in other parts of the world. These companies include: Clif Bar, Cloud Nine, Dagoba Organic Chocolate, Denman Island Chocolate, Gardners Candies, Green and Black's, Kailua Candy Company, Koppers Chocolate, L.A. Burdick Chocolates, Montezuma's Choc- olates, Newman's Own Organics, Omanhene Cocoa Bean Company, Rapunzel Pure Organics, and The Endangered Species Chocolate Company. Other small companies turned to using fair trade chocolate and organic chocolate because these are made from beans grown on farms that are regularly monitored and so they, too, are made from untainted beans.

That many farmers in the Ivory Coast use slave boys to farm their cocoa beans was already known to American chocolate-makers when media reports first began publicizing the issue. In 2001, the Chocolate Manufacturers Association, a trade group of U.S. chocolate manufactur- ers (whose members include Hershey, Mars, Nestlé, and others), admitted to newspapers that they had been aware of the use of slave boys on Ivory Coast cocoa farms for some time. Pressured by various antislavery groups, the Chocolate Manufacturers Association stated on June 22, 2001 that it “condemned” “these practices” and agreed to fund a “study” of the situation.

On June 28, 2001, U.S. Representative Eliot Engel sponsored a bill aimed at setting up a labeling system that would inform consumers whether the chocolate they were buying was “slavefree,” i.e., guaranteed not to have been produced by slave children. The measure passed the House of Representatives by a vote of 291 to 115. Before a measure can become law, however, both the House of Representatives and the Senate must approve it. U.S. Senator Tom Harkin therefore prepared to introduce the same bill in the Senate. Before the Senate could consider the bill, the U.S. chocolate industry—led by Mars, Her- shey, Kraft Foods and Archer Daniels Midland and with the help of lobbyists Bob Dole and George Mitchell—mounted a major lobbying effort to fight the “slave-free” labeling system. The companies argued that a labeling sys- tem would not only hurt their own sales, but in the long run could hurt poor African cocoa farmers by reducing their sales and lowering the price of cocoa

which would add to the very pressures that led them to use slave labor in the first place. As a result of the industry's lobbying, the "slave-free" labeling bill was never approved by the Senate. Nevertheless, Representative Engel and Senator Harkin threatened to introduce a new bill that would prohibit the import of cocoa produced by slave labor, unless the chocolate companies voluntarily eliminated slave labor from their production chains.

On October 1, 2001, the members of the Chocolate Manufacturers Association and the World Cocoa Foundation, caught in the spotlight of media attention, announced that they intended to put in place a system that would eliminate "the worse forms of child labor" including slavery. In spring of 2002, the Chocolate Manufacturers Association and the World Cocoa Foundation as well as the major chocolate producers—Hershey's, M&M Mars, Nestle, and World's Finest Chocolate—and the major cocoa processors—Blommer Chocolate, Guittard Chocolate, Barry Callebaut, and Archer Daniels Midland—all signed an agreement to establish a system of certification that would verify and certify that the cocoa beans they used were not produced by the use of child slaves. Known as the "Harkin-Engel Protocol," the agreement also said the chocolate companies would fund training programs for cocoa bean farmers to educate them about growing techniques while explaining the importance of avoiding the use of slave labor. The members of the Chocolate Manufacturers Association also agreed to "investigate" conditions on the cocoa farms and establish an "international foundation" that could "oversee and sustain efforts" to eliminate child slavery on cocoa farms. In July, 2002, the first survey sponsored by the Chocolate Manufacturers Association concluded that some 200,000 children—not all of them slaves—were working in hazardous conditions on cocoa farms and that most of them did not attend school.

Unfortunately, in 2002, Ivory Coast became embroiled in a civil war that continued until an uneasy peace was established in 2005 and finalized in 2007; rebel forces, however, continued to control the northern half of the country. Reports claimed that much of the money funding the violence of both the government and rebel groups during these years came from sales of cocoa, and that buyers of "blood chocolate" from Ivory Coast were supporting this violence.

The 2005 deadline the major chocolate companies and their associations had set, came, and passed without the promised establishment of a certification system to ensure beans were not being produced by slave children. At this point, the chocolate companies amended the protocol to give themselves more time by extending their own deadline to July, 2008, saying that the certification process had turned out to be more difficult than they thought it would, particularly with the outbreak of a civil war. Although the companies did not establish a certification system while the civil war raged, however, they did manage to secure enough cocoa beans to keep their chocolate factories going at full speed throughout the war.

By early 2008, the companies had still not started work on establishing a certification system or any other method of ensuring that slave labor was not used to produce the cocoa beans they used. The companies issued a new statement in which they extended to 2010 the deadline for complying with their promise to establish a certification system. According to the companies, they had been investing several million dollars a year into a foundation that was working on the problem of child labor. However, an investigative reporter, in an article published in *Fortune Magazine* on February 15, 2008, found the foundation had only one staff member working in Ivory Coast. The activities of the staff member were limited to giving "sensitization" workshops to local people during which he would explain that child labor is a bad thing. The foundation was also helping a shelter that provided housing and education to homeless street children. The reporter found no signs of work being done on a

certification system. By now the monitoring systems used in the fair trade and organic parts of the industry had been functioning for several years, yet the larger companies operating in Ivory Coast seemed unable or uninterested in learning from their example.

The existence of a large and well-organized system for trafficking children from surrounding countries onto Ivory Coast farms was once again demonstrated on June 18, 2009. On that date INTERPOL, the international police organization, carried out a series of raids of several farms believed to harbor slave children and managed to rescue 54 children. Aged between 11 and 16, the children had been working 12 hours a day for no salary; many were regularly beaten and none had received any schooling. In a public statement, INTERPOL estimated that “hundreds of thousands of children are working illegally in the plantations.”

On September 30, 2010, the Payson Center at Tulane University issued a report on the progress that had been made on the certification system the chocolate industry in 2002 had promised to establish, as well as on the progress the industry had made regarding its promise to eliminate “the worse forms of child labor,” including child slavery, on the farms from which the industry sourced its cocoa. The report was commissioned by the United States Department of Labor who had been asked by Congress to assess progress on the “Harkin-Engel Protocol,” and who gave Tulane University an initial grant of \$4.3 million in 2006, and an additional \$1.2 million in 2009 to compile the report. According to the report, “Industry is still far from achieving its target to have a sector-wide independently verified certification process fully in place . . . by the end of 2010.” The report found that between 2002—the date of the original agreement—and September 2010, the Industry had managed to contact only about 95 (2.3 percent) of Ivory Coast’s cocoa farming communities, and that to complete its “remediation efforts” it would have to contact an additional 3,655 farm communities. While the Tulane group “confirmed” that forced labor was being used on the cocoa farms, it also found that no industry efforts to “remediate” the use of forced labor “are in place.”

Not surprisingly, the problem of certification still remained unresolved in 2011. After the media attention had died down, the manufacturers and distributors buying Ivory Coast cocoa beans seemed incapable of finding a way to “certify” that slavery was not used to harvest the beans they purchased. Representatives of the chocolate companies argued that the problem of certification was difficult because there are more than 600,000 cocoa farms in Ivory Coast; most of them small family farms located in remote rural regions that are difficult to reach and that lack good roads and other infrastructure. Critics, however, pointed out that these difficulties did not seem to pose any obstacles to obtaining beans from these many scattered cocoa farms. Cocoa bean farmers, poor and buffeted by the low price of cocoa beans, continued to use enslaved children although they were secretive about it. To make matters worse, in February 2011, fighting between the rebels in the north and the Ivory Coast government in the south again broke out for a brief period in a dispute over who was the legitimate winner of the 2010 presidential election. The fighting ended in April 2011 when one of the candidates finally conceded the election, allowing Alassane Ouattara to be declared the legitimate president.

In 2010 another film, this one entitled *The Dark Side of Chocolate*, once more documented the continuing

use of enslaved children on Ivory Coast farms, although representatives of the chocolate companies interviewed in the film denied the problem or claimed they did not know anything about it. The beans tainted by the labor of slave boys are therefore still being quietly mixed together in bins and warehouses with beans harvested by free paid workers, so that the two

are indistinguishable. From there they still make their way into the now tainted chocolate candies that Hershey's, M&M Mars, Nestle and Kraft Foods make and that we buy here and in Europe. Without an effective system of certification, in fact, virtually all the chocolate we eat that is made from West African (Ivory Coast and Ghana) cocoa contains a portion of tainted chocolate made from beans harvested by enslaved children.

Questions

1. What are the systemic, corporate, and individual ethical issues raised by this case?
2. In your view, is the kind of child slavery discussed in this case absolutely wrong no matter what, or is it only relatively wrong, i.e., if one happens to live in a society (like ours) that disapproves of child slavery? Explain your view and why you hold it.
3. Who shares in the moral responsibility for the slavery occurring in the chocolate industry?
4. Consider the bill that Representative Engle and Senator Harkin attempted to enact into a law, but which never became a law because of the lobbying efforts of the chocolate companies. What does this incident show about the view that "to be ethical it is enough for businesspeople to follow the law"?

Note

1. Sudarsan Raghavan and Sumana Chatterjee, "Child Slavery and the Chocolate Trade," *San Jose Mercury News*, June 24, 2001, p. 1A; Stop Child Labor, "There's Nothing Sweet About Child Slave Labor in the Cocoa Fields," accessed on April 26, 2004 at <http://www.stopchildlabor.org/internationalchildlabor/chocolate.htm>; Sharon LaFraniere, "Africa's World of Forced Labor in a 6 Year-Old's Eyes," *The New York Times*, October 29, 2006; Rageh Omaar, "The World of Modern Child Slavery," *BBC News* [Online], March 27, 2007, accessed April 29, 2010 at http://news.bbc.co.uk/2/hi/programmes/this_world/6458377.stm; Christian Parenti, "Chocolate's Bittersweet Economy," *Fortune Magazine*, February 15, 2008; Payson Center for International Development and Technology Transfer Tulane University, *Fourth Annual Report: Oversight of Public and Private Initiatives to Eliminate the Worse Forms of Child Labor in the Cocoa Sector in Cote d'Ivoire and Ghana*, September 30, 2010, accessed March 10, 2011 at <http://www.childlabor-payson.org/Final%20Fourth%20Annual%20Report.pdf>.