

From: Peter Teachout, Professor
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To: Senator Jeanette White, Chair,
Senate Government Operations Committee
Vermont State House
115 State Street
Montpelier, Vermont 05633-5301

April 1, 2019

Dear Senator White:

I understand the Senate Government Operations Committee will meet tomorrow afternoon, Tuesday, April 2, to finalize the language of the proposed amendment to Article 1 of Chapter I of the Vermont Constitution for the purpose of making clear that slavery in any form is prohibited under the Vermont Constitution. My understanding is the language under consideration for the proposed amendment would take the following form:

11 Sec. 2. Article 1 of Chapter I of the Vermont Constitution is amended to read:
12 Article 1. [All persons born free; their natural rights; slavery prohibited]
13 That all persons are born equally free and independent, and have certain
14 natural, inherent, and unalienable rights, amongst which are the enjoying and
15 defending life and liberty, acquiring, possessing and protecting property, and
16 pursuing and obtaining happiness and safety; therefore slavery in any form is
17 prohibited; and no person born in this country, or brought from over sea, ought
18 to be holden by law, to serve any person as a servant, ~~slave~~ or apprentice, ~~after~~
19 ~~arriving to the age of twenty one years,~~ unless bound by the person's own
20 consent, ~~after arriving to such age,~~ or bound by law for the payment of debts,
21 damages, fines, costs, or the like.

The proposed language would make clear that slavery in any form is prohibited, which I take it is the primary purpose for amending Article 1. My concern is that, as proposed, the amendment does not make clear that indentured servitude in any form is also prohibited. I suppose a half a loaf is better than none, but, in my view, this is a deficiency. If anything, abuse of the institution of indentured servitude poses a much more serious and realistic problem for vulnerable individuals and groups in this country today than any prospect of the reinstatement of

slavery. See “*Behind Illicit Massage Parlors Lie a Vast Crime Network and Modern Indentured Servitude*,” New York Times, March 2, 2019, <https://www.nytimes.com/2019/03/02/us/massage-parlors-human-trafficking.html>.

There may be something I am not seeing, but I think this deficiency could easily be cured by changing the proposed language of the amendment to read simply after “therefore:” slavery and indentured servitude in any form are prohibited.” The rest of the proposed language after the word “prohibited” could then be simply dropped.

Whether or not to adopt this alternative version is, of course, up to the Committee, and I will respect the Committee’s decision, but I would feel remiss if I did not at least bring this concern to the Committee’s attention while there is still opportunity to act upon it.

With respect,

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