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Imposing Democracy and Human Rights from the Outside:

The Case of U.S. Interventionism in the Republic of Haiti

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Abstract

The July 2021 assassination of Haitian President Moïse positioned Haiti on the precipice of increased instability, once again. Since declaring independence from France in 1804 as the first successful slave revolt in history, The Republic of Haiti has been unable to maintain stable democratic and human rights processes. Through this thesis, I explore the impact of direct American influence—through neoliberal economic policies, direct military intervention, diplomatic pressure, and international collaboration—on democracy promotion and subsequent human rights protections within Haiti. Specifically, freedom from arbitrary arrest, detention, and violence from government forces in addition to migration patterns and human rights monitoring mechanisms. This influence will be examined primarily through the election of Jean-Bertrand Aristide in 1990 and the subsequent coup d'état in September 1991, followed by the reinstallation process led by the United States and culminating in the 1994 military invasion, "Operation Upholding Democracy." A thesis ultimately dedicated to analyzing modern challenges with historic origins.

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Introduction

Haiti gained independence, as the first successful slave revolt in history, from its French colonizers in 1804. Although Haiti was founded on the basis of individual freedom, democracy and general stability have been hard to come by since 1804. Following a series of predatory economic policies enacted by the French government to punish Haiti for its successful rebellion and in exchange for French recognition of their independence, Haiti was never able to build a strong foundation of infrastructure to ensure future stability. Against the rise of the United States sphere of influence in the 19th century, Haiti became the target of American democratic imposition. The creation of the United Nations and international human rights treaties enabled the international community, specifically the United States, to begin to consider the intersectionality between the promotion of democracy and human rights standards across the world. Through this thesis, I explore the impact of direct American influence—through neoliberal economic policies, direct military intervention, diplomatic pressure, and international collaboration—on democracy promotion and subsequent human rights protections within Haiti.

This argument will be detailed in four chapters: first, covering the basics of democracy and human rights, by establishing working definitions and brief histories of the concepts; second, analyzing the history of Haiti from its colonial beginnings to the first free and fair election in 1991 which saw the rise of a common priest, Jean Bertrand Aristide to the presidency; third, the impact of the military coup d'état in September 1991 which forced Aristide into exile and ensured the necessity for American interference in order to return Aristide to power and attempt stability; and last, evaluating the modern implications of American intervention on the current state of democracy and human rights in Haiti.

The foreign policy of the United States towards Haiti has always named democracy as the common thread throughout any intervention or influence. However, I argue that while this imposition of American democratic ideals might have been the outward motivation, neoliberal economic policies and migration policies overtook the intentions of the United States. In 2022, President Biden's administration reaffirmed the American commitment to promoting peace, stability, and democracy in Haiti. A pledge made many times before, but now up against economic, environmental, medical, and governmental crises. As Haiti sits on the precipice of reliving events of its history, analysis of failed attempts at American democratization efforts in Haiti might allow a change in policy to enact lasting democratic change and human rights standards. This thesis is ultimately dedicated to analyzing modern challenges with historic origins.

Chapter 1
Democracy and Human Rights

The concepts and realization of democracy and human rights go hand in hand. Democracy is reliant on both universal suffrage and the expectation for states to hold free and fair elections within a reasonable period. While having a democratic form of government inherently allows for the upholding and respect of human rights. In this chapter, I establish working definitions for democracy, primarily liberal democracy, and human rights. I then establish the two concepts in relation to each other and within the context of United States democracy imposition in Haiti, and its subsequent effect on human rights. A history of the human rights mechanisms and international systems, particularly the United Nations, is explored to provide a relevant background for future exploration of human rights standards and democracy promotion in Haiti.

In analyzing liberal democracy and human rights standards through the lens of United States foreign policy towards Haiti, three main findings are presented. First, Republican Liberalism, an international relations theory, states that democratic governments are inherently more peaceful, reasoning which propels America's desire for promoting democracy internationally. Second, the history of democratization efforts by the United States is analyzed, as well as its successes and (common) failures, and the methods through which this is achieved. Lastly, the relationship between human rights and democracy is explored. When considering the above points, American foreign policy and Haitian democratic and human rights protections are contextualized in the remaining chapters.

1.1 Defining Democracy

Democracy as the primary or "superior" form of governance has become the overarching ideal for governments over the span of history. David Held explains that this democratic superiority comes from the idea that democracy is seen as "legitimate" and therefore legitimizes the laws and policies which flow from it.[1] Held explains democracy through three different "variants" or "models." First is "direct democracy," seen by scholars as the original manifestation of the concept stemming directly from ancient

[1] David Held, *Democracy and the Global Order: From the Modern State to Cosmopolitan Government* (California: Stanford University Press, 1995), 3.

Greece, which entails direct decision-making through the power and will of the people.[2] Second, is liberal democracy, which allows citizens to be involved in decision making, however, officials are elected by the peoples which then "represent the interests" of their constituents and are expected to uphold the rule of law through their appointment.[3] The third concept of democracy, albeit a disputed one, is based on the idea of a "one-party model" which was employed in the Soviet Union for example.[4] The first iteration of democracy described above, also known as "Athenian democracy" by Held is known by the following engrained characteristics, "equality among citizens, liberty, respect for the law, and justice."[5] From this definition flows the premise for modern democratic understanding, specifically by Western nations.

While democracy is seen by the West as the preferred standard, throughout the 20th century there was a worldwide battle for maintaining democracy, especially present throughout WWII and the rise of Nazism and fascism.[6] Democracy as an overarching ideal and its subset of liberal democracy have become intrinsically linked in the 21st century, however, Gordon Graham argues that while the two are linked there is an "inevitable" tension that occurs.[7] This tension comes from Graham's assumption that "all competent adults" when exposed to liberal ideals will thus want to live in a democratic society due to their desire to be a part of "collective decision making," which stems from "the right of each to decide his or her own destiny," which is a core value of both democratic and liberal democratic thought.[8] However, David Held offers an explanation for the state's desire for democracy by purporting that liberal democratic theory became popular for the very reason that states "sought to justify the sovereign power of the state while at the same time justifying limits on that power."[9]

Tony Evans offers four general assumptions for the definition of liberal democracy. First, the territorial state is the community in question when discussing democratization. It is through territorial bounds that states can "differentiate insiders from outsiders and citizens from non-citizens."[10] There is no current understanding of globalized democracy, the "domestic sphere" is where the modern understanding of democracy finds its footing.[11] Second, the very basis of all forms of liberal democracy comes from the

[2] Ibid, 5.
[3] Ibid, 5.
[4] Ibid, 5.
[5] Held, 5.
[6] Ibid, 3.
[7] Gordon Graham, "Liberalism and Democracy," *Journal of Applied Philosophy* 9, no. 2 (1992): 149.
[8] Ibid, 157.
[9] Held, *Democracy and the, 9*.
[10] Tony Evans, "If democracy, then human rights?," *Third World Quarterly* 22, no. 4 (2001): 624.
[11] Ibid, 624.

idea of accountability.[12] Accountability is practiced through "holding periodic multiparty elections to a representative assembly."[13] It is these very elections that can be understood as the "single most important requirement for a government to claim democratic credentials."[14] Third, it is through the high degree of autonomy within democratic states that political leaders can "pursue politics that further the interests of the people."[15] Citizens entrust their political leaders and greater government to fulfill the wants of the people as were expressed through the ballot box, by utilizing "the material, social, economic, and political assets of the community to promote common interests in accordance with the principles of democracy."[16] Lastly, Evans emphasizes that for a democracy to be successful, "the democratic state [must] act in the interests of the whole of the people, not in the interest of particular national or global groups."[17]

The modern world changes and adapts at a pace unlike any other time in history. Current understandings of democracy, specifically liberal democracy, come with significant challenges related to globalization. David Held explains that modern international relations theorists are examining the ways in which increasing levels of "global interconnectedness" are transforming the ways domestic governmental structures function and contribute on an international scale.[18] Globalization and the emergence of transnational companies have changed the long-held concept of borders. Tony Evans echoes that this antiquated understanding that "governments remain in control of state borders cannot be sustained under conditions of globalization, where economic flows, ideas, cultural exchanges, social interactions, and political interconnectedness make state borders ever more penetrable."[19]

Gordon Graham also calls into question the legitimacy of democracy in Western nations (such as the United States) which are seen as the 'gold standard' and enacting foreign policy to further spread democratic ideals around the world. Graham outlines that in these Western nations it is not necessarily the will of the majority which reigns supreme, rather it is the "will of the majority of representatives" which reigns supreme.[20] In tandem with the aforementioned "cracks" in Western democratic ideation there must be a reckoning with the history of democracy in the United States, and its international democratic policies, based on the fact that it was a nation founded as a slave-holding democracy.

[12] Ibid, 624
[13] Ibid, 624
[14] Ibid, 624.
[15] Ibid, 624.
[16] Ibid, 624.
[17] Ibid, 625.
[18] Held, *Democracy and the*, 25.
[19] Evans, 625.
[20] Graham, 159.

It is for this reason that scholars such as Javier Fernández Sebastián voice the idea that it is Haiti that should be placed at the center of modern democratic understanding in the Americas.[21] Haiti was the first country to abolish slavery and slave trading from the very moment it emerged as an autonomous country out from under French colonial rule. Therefore, it was not the language of democracy that stood at the center of Haiti's independence, it was that of "freedom" and emancipation from slavery.[22]

1.2 The United States and Democratization

The United States has a sordid history with democratization. I argue that the rationale for American democratization efforts rests within the confines of the international relations theory of Republican Liberalism. Republican Liberalism rests on two main assumptions as described by Michael Weber: that democracies are inherently more "trustworthy and reliable international partners" which decreases the chances of war amongst democratic states.[23] Republican Liberalism is further built around three main ideas, first discussed by Immanuel Kant, that shared democratic ideals amongst states leads to peace.[24] The first principle is that democracies foster the "existence of domestic political cultures based on peaceful conflict resolution."[25] Second, is that democratic nations hold "common moral values" which culminate in a "pacific union" or a "zone of peace based on the common moral foundations of all democracies."[26] Lastly, this peaceful union is "strengthened through economic cooperation and interdependence."[27] James Meernik echoes this by stating that "the prospects for universal peace increase with the number of democratic regimes" thus making democracy promotion not just an aspiration but an "incentive" for direct intervention.[28] However, there is a marked distinction when examining American peaceful democracy support and democracy imposition, especially when military force is involved.

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[21] Eduardo Posada-Carbó, "The history of democracy in Latin American and the Caribbean, 1800-1870: an introduction," *Journal of Iberian and Latin American Studies* 26, no. 2 (2020): 108.
[22] Ibid, 108.
[23] Congressional Research Service, "Global Trends in Democracy: Background, U.S. Policy, and Issues for Congress" (R45344; 17 October 2018), by Michael A. Weber, 32.
[24] Robert Jackson and Gerog Sørensen and Jørgen Møller, *Introduction to International Relations: Theories and Approaches* (Oxford: Oxford University Press, 2018), 20.
[25] Ibid, 20.
[26] Ibid, 20.
[27] Ibid, 21.
[28] James Meernik, "United States Military Intervention and the Promotion of Democracy," *Journal of Peace Research* 33, no. 4 (1996): 392.

It took over 100 years for the United States to rise to "superpower" status following its independence from Britain.[29] For the next almost 40 years following the Spanish-American War in 1898, the United States secured its democratic focus on Latin America. Under this democratic "shield" the United States was able to carry out projects, which were economic in interest, under the guise of democracy promotion.[30] However, the transfer of power between American Presidents and the onslaught of World War II shifted the way the United States conducted its international agenda.[31] In other words, they set their sights on the rest of the world.

Democracy promotion is ingrained in U.S. foreign policy. [32] Daniele Archibugi goes as far as to call it the "American Dream … part of an American's genetic code." Archibugi uses the example of the liberation of Italy in 1945 by the Allied forces during WWII and states that since WWII, "American foreign policy has reiterated its objective to extend democracy, often doing so through armed intervention."[33] WWII caused a shift in the global dynamic as the observed potential for instability and conflict changed the world order. Archibugi argues that the modern world order, and dedication to democracy promotion, was built around the unsustainability of an international order "without democracy as the main form of government," due to the notion that democratic nations operate under "shared values."[34] The implementation of democracy in Germany, Japan, and Italy following WWII at the hands of American intervention serve as the three pillars of successful American democratization efforts and have, as Archibugi states, "somehow dictated American ideology and foreign policy over the last 60 years" even though they were exceptions, not the rule when it comes to success.[35]

Following the "successes" of democratization after WWII, the onslaught of the Cold War and the impending threat of communism were a strong basis for the United States to employ a more intrusive foreign policy. During the Cold War, the U.S. employed coercion tactics, including direct armed suppression with its military and backing of tyrannical and dictatorial regimes (as was seen in Haiti), under the defense that any government that was staunchly anti-communist (regardless of its policies) was still better than a communist regime.[36] Tony Evans explains that this direct violence at the hands of the

[29] Mary Fran Malone, "Can the United States export democracy?", *The University Dialogue, the University of New Hampshire* (2007): 1.
[30] Ibid, 1.
[31] Ibid, 1.
[32] Weber, 32
[33] Daniele Archibugi, "Can Democracy Be Exported," *Widener Law Review* 13, no. 2 (2007): 284.
[34] Congressional Research Service, "Global Trends in Democracy…," 4
[35] Archibugi, 284.
[36] Evans, 629.

United States was justified because "Third World people were being killed to protect them from the evil incarnate – communism."[37] Force became the primary tool for American democracy promotion.

Since the Cold War, democracy promotion and the inherent stability of democratic nations have become entrenched in all aspects of American foreign policy or "grand strategy." So much so that democracy promotion is snaked throughout all categories of the strategy, including trade, aid, and the creation of international institutions.[38] Evans argues that in fact, democracy promotion is not necessarily "concerned with social justice, human rights, human security or ideas of human worth" but instead is necessary to create an "appropriate global order" which makes way for current and future economic advancement.[39] From the American perspective, democracy provides tangible benefits beyond the ideological ones. By establishing democracy in a country within its sphere of influence, the United States can capitalize on not just the added stability but the ability to influence future policy for its own benefit.[40] However, the pursuit of these "benefits" of democracy promotion is one with international impact and consequences. Officials in the U.S. actively draw a connection between the "state of democracy in the world and U.S. foreign policy and national security interests."[41] It is through these international actions, however, that the United States jeopardizes its legitimacy. Daniele Archibugi explains that the United States has set a precedent for employing military action to export its ideals of democracy. However, through this process, American forces (both political and military) perpetrate actions against foreign nationals which would never be tolerated on its own soil, "such as human rights violations, indiscriminate attacks on civilian populations, and even torture are accepted as inevitable means to achieve the ultimate end: the reign of freedom and democracy."[42] For these reasons, democratization efforts, specifically through military force, become a campaign far greater (and more complicated) than exporting American democratic ideals and aspirations.[43]

The nature of the United States political system and consistent turnover in the presidency and congress causes an inherent "unevenness" to its foreign policy due to the constant change in the balance of power between its two-party system.[44] U.S. Presidents typically explain military intervention in foreign lands for two main reasons: democracy and national security. This can be seen through examples such as

[37] Ibid, 629.
[38] Congressional Research Service, "Global Trends in Democracy…," 4
[39] Evans, 629-630.
[40] Meernik, 392.
[41] Congressional Research Service, "Global Trends in Democracy…," 4
[42] Archibugi, 285.
[43] Ibid, 287.
[44] Congressional Research Service, "Global Trends in Democracy…," 3

Woodrow Wilson presiding over World War I and Mexico tensions, Ronald Reagan acting in Lebanon and Grenada, George H.W. Bush invading Panama, and culminating in the Clinton Administration attempting to restore democracy, and ultimately failing, in Haiti.[45] There is an attempted push within the American political regime for bipartisan support for democracy and human rights promotion. But this support takes on many forms. Some Members of Congress and other political leaders have asserted that "the United States has a moral obligation to promote democracy and human rights" while others, including scholars, argue that "an inclination within U.S. foreign policy for 'values promotion' derives from fundamental aspects of American political culture."[46] With varying motives underlining the American commitment to promoting democracy, democratization efforts often fumble in their success and only cause substantial damage to the host country with little to no improved democratic systems or values.

The export and implementation of democracy is a complicated process in which certain, distinct, "properties" or requirements be fulfilled (and present) before a state can be declared "fully democratic."[47] Archibugi purports that there is somewhat of a fine line when analyzing specific reasons for a democratization mission, specifically one with military force, when the mission stems from legitimate reasoning and when it is blatantly unethical. One reason is that exporting democracy comes with a large risk of being patronizing. If a state [such as the United States] decides unilaterally that another state requires a regime change, it is violating the international principle of self-determination and introduces the possibility for purely self-interested interference.[48]

The United Nations (UN) was created in 1945 in the aftermath of WWII with the objective to establish international norms and standards to prevent any sort of atrocities from happening on that scale ever again. It was also with the establishment of the UN that state sovereignty was solidified through binding international norms and treaties. If national governments feel they have the autonomy and the responsibility to interfere in the government of another nation and decide its legitimacy, Daniele Archibugi argues that the international arena will revert to the "*bellum omnium contra omnes* ("the war of all against all")," or the idea that democracy promotion can serve as a justification for any future conflict or war.[49]

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[45] Meernik, 391.
[46] Congressional Research Service, "Global Trends in Democracy…," 3
[47] Bruce Bueno de Mesquita and George W. Downs and Alastair Smith and Feryal Marie Cherif, "Thinking inside the box: A Closer Look at Democracy and Human Rights," *International Studies Quarterly* 49, no. 3 (2005): 440.
[48] Archibugi, 289.
[49] Ibid, 289.

David Beetham explores the constraints of democratization by distinguishing between the concept of democracy and the varying theories of democracy. For Beetham, the concept of democracy is "uncontestable" whereas the differing theories of democracy involve the "desirability" or "practicality" of a democratic government while also considering its sustainability as an institution.[50] Therefore, the process of democratization and intervention in a sovereign state in the name of democracy, exists on a spectrum. There is no one size fits all method to exporting American democratic practices and norms. In fact, Michael Weber explains that "democracy promotion may in some instances conflict with the pursuit of other U.S. foreign policy objectives, and the United States may thus face difficult trade-offs in its democracy promotion agenda."[51] Research shows that often, the United States has objectives, usually economic, geopolitical, or security-related, that are resolute. It is in these instances when the United States pursues the aforementioned objectives in the name of democracy promotion that both tension and distrust occur between states which as Weber points out, "can hamper the prospects for cooperation toward other objectives."[52] It is for this reason that democracy promotion around the world must be critically examined.

1.3 Exploring International Interventionism: 'Carrots' and 'Sticks'

There are six main means that the United States employs to promote democracy: bilateral and multilateral diplomacy, sanctions, foreign assistance programs, educational and cultural exchange programs, public diplomacy and international broadcasting, and military intervention.[53] All of the above can be categorized as a 'carrot' except for military intervention, which is a 'stick' method. Stick methods overall involve the use of hard power by an outside actor. Regardless of the means of exporting democracy, there is often a cost for both the external force and the internal force. Most commonly the external force suffers a financial cost, and the internal force suffers consequences such as civil unrest, civilian casualties, and general instability.[54] It is for these reasons that scholars debate the efficacy of whether "sustainable democratic institutions can be imposed through military intervention."[55]

[50] David Beetham, "Liberal Democracy and the Limits of Democratization," *Political Studies* Special Issue (1992): 40.
[51] Congressional Research Service, "Global Trends in Democracy…,", 33.
[52] Ibid, 33.
[53] Congressional Research Service, "Global Trends in Democracy…," 33.
[54] Alexander B. Downes and Jonathan Monten, "Forced to be Free? Why Foreign-Imposed Regime Change Rarely Leads to Democratization," *International Security* 37, no. 4 (2013): 90.
[55] Ibid, 91.

The norms of the post-Cold War era are defined by "superpower" states and The United States took the lead in reaffirming its commitment to democracy promotion and utilized both the 'carrot' and the 'stick' methods. Mary Fran Malone points out that the United States' democratization methods are distinctly marked by examples of success, however, there are also many examples of democracy reversal.[56] Archibugi expands on the benefits of transitioning from the stick to the carrot by examining that, "the error embedded in the crazed desire to export democracy concerns only the means, not the ends."[57] It is not that civilians do not wish to live in democratic countries, there is a vast agreement that civilians want to have a say in their own government, but it is the means through which this is achieved that can dramatically shape public opinion and therefore the efficacy of the regime change. One of Archibugi's main lessons learned through examining the export of democracy is that aggression is counterproductive. Even if there is a dictatorial government structure, when democracy is instigating the war, "the public of aggressed countries feel like victims and become hostile toward the political regime forwarded by the invaders."[58] This aggression generates a "rally-around-the-flag" effect, even if that flag is in the hands of an oppressive and dictatorial regime.[59] Based on this logic, it is through carrots or "economic, social, political, and cultural incentives" that democracy exportation should be achieved.[60]

Increasingly, economic aid has been used as a bartering tool for imposing democratic systems. The United States has a legacy of "propping up" or supporting specific political factions in their democratization efforts abroad, sometimes completely "robbing" a nation of supporting their own democratic efforts or candidates due to undue (and weighty) influence. Thomas Carothers explains that by doing this, the United States "robs the process of its own internal coherence" and thus jeopardizes the legitimacy of the entire mission.[61] This legacy has thus caused a reverberating effect for organizations (both international and local) being "contaminated" due to their link to the United States (even if it is dependent on their economic resources to pursue their mission) and having their legitimacy as a "legitimate democratic actor" called into question.[62]

The amount of spending in other categories, specifically defense, by the United States topples the budget for development aid. Development aid is allotted less than one percent of the United States' GDP (0.1

[56] Malone, 2.
[57] Archibugi, 289.
[58] Ibid, 286.
[59] Ibid, 286.
[60] Ibid, 289.
[61] Thomas Carothers, "Democracy and Human Rights: Policy Allies or Rivals?," *The Washington Quarterly* 17, no. 3 (1994): 116.
[62] Ibid, 116.

percent to be exact) and this "development aid" category is then broken down further, leaving a small (small is relative in this context) sum of money to be used as aid for democratic governments.[63] But, it is not just economic aid that should come into play when it comes to a carrots approach to democratization. Archibugi points to the catechistic nature of democracy promotion, especially by the United States, when money is funneled into a country without equipping them with the tools necessary to sustain such monetary gains. When democracy imposition and promotion fail at the hands of military advances, democracy in and of itself must answer. It is for this reason, that the carrot is further seen as having an "enormous advantage" over military intervention.[64] This enormous advantage is seen by Archibugi as the mere fact that no victims serve as collateral damage in the process of implementing a democratic regime when the main tactics are "economic incentives and simple persuasion."[65] However, cautious skepticism should be implied to this logic when purporting that collateral damage is not achieved through economic "incentives" or policies from outside states. In overly simplified terms, Archibugi argues that democracy comes down to the opportunity to choose, which includes the opportunity for states to refute democratic standards. Archibugi emphasizes that if the feature of "choice" disappears then there will no longer be any sort of democratic "aspiration" as "there will be no difference between democracy and the other tyrannical impositions of the past."[66]

Aggression, therefore, is counterproductive in establishing democracy according to Archibugi for three main reasons. Firstly, the internal context must be evaluated by the outside force prior to launching a military campaign, in this instance the United States. Civilians in states with authoritarian leaders are not always equally unhappy with the mode of government. For this reason, the logic of "rescuing" a nation with democracy becomes an irrelevant standard if the people of the nation do not support such a mission.[67] Without internal support for the democratizing mission, the opportunity for failure expands. It is, therefore, necessary to have a "strong indigenous desire to institute a democratic regime and competent elites to represent them."[68] When new political structures are installed without proper support and infrastructure, there is a higher risk for non-democratic regimes to take its place in the future, or send the country into such tension that civil war erupts.[69] Secondly, studies show that the restoration of

[63] Archibugi, 290.
[64] Ibid, 291.
[65] Ibid, 291.
[66] Ibid, 292.
[67] Ibid, 286.
[68] Ibid, 286.
[69] Ibid, 286.

democratic principles within a country is more successful than building institutions from scratch.[70] When democracy is built without preexisting institutions AND the necessary internal ingredients, outside forces embark on a "much more risky and long-term project" as can be seen in the modern examples of Haiti, Afghanistan, and Iraq.[71] Lastly, the civilian population must accept the transitional administration. The regime change cannot be seen as an "outsider" mission, there must be integration. Refer to an earlier point by Archibugi which emphasizes the United States funneling money to specific candidates or groups to sway the government structure. When implementing or restoring a democratic government, the citizens of that nation must take ownership of their new leader, otherwise, failure is imminent. The scrutiny that the transitional government will face from their civilian population will echo that of colonized civilians against their colonizers.[72] For this reason, it is critical to understand the "cultural, ethnic, religious, and linguistic affinities between the provisional administration and the occupied countries."[73]

Alexander Downes and Jonathan Monten further discuss the general pitfalls of foreign-imposed regime change, particularly by military force. Overall, Downes and Monten express a conditional view on democratization through force. In their viewpoint, outside military intervention has "little liberalizing effect in target states" however, when states implement democratization policies and "invest in substantial effort and resources" they can be successful in their efforts.[74] Essentially, a violent method of democratization will only be successful if proper aid is provided to the state and proper infrastructure is constructed and maintained. Downes and Monten explore this topic of foreign-imposed regime change by dividing their research into three different categories: the optimists, the pessimists, and the conditionalists.

United States foreign policy takes an "optimistic" approach to the impact of military force in the democratization process. This is described through the term neoconservatism. Neoconservatism is the view that democracy can be universal and "transferable to all cultures," despite obstacles such as "poverty, social divisions, religious affiliation, or lack of experience with democratic institutions."[75] It is through this neoconservative lens that the United States can be seen molding their foreign policy initiatives for democracy promotion both as a "moral imperative" but also relating back to Republican

[70] Ibid, 286.
[71] Ibid, 288.
[72] Archibugi, 287.
[73] Ibid, 287.
[74] Downes Monten, 92.
[75] Ibid, 96.

Liberalism and the inherent peacefulness of democratic governments.[76] While the sticks approach comes with severe threats to human rights protection through force, scholarly literature is beginning to contend with the fact outside democratic regime change through military force might have some theoretical and empirical support.[77] Due to success being a historical rarity through this technique, Downes and Monten critique this optimistic viewpoint by presenting the data that out of sixteen cases of foreign-imposed democratization studied, only four cases were seen as successful.[78]

From the viewpoint of the proclaimed "pessimists," Downes and Monten explain that when regimes are changed by outside intervention, a "nationalist backlash" is provoked due to a lack of ownership of the change; a newfound dependence on outside support; and the feeling of lacking influence over "local politics and actors."[79] Bruce Bueno de Mesquita and George Downs are placed in the pessimist camp by Downes and Monten. De Mesquita and Downs conducted a study analyzing what aspects of democracy are "necessary or sufficient" in order to "achieve an improved quality of life in terms of diminishing, or even eliminating, human rights violations."[80] Through their research, de Mesquita and Downs expounded that outside democratization efforts often fail due to the absence of long-term planning, particularly related to building lasting institutions and infrastructure in the host nation.[81] Downes and Monten critique the pessimistic viewpoint on democratization by explaining that the success of exporting a different governmental structure such as democracy is contingent on different conditions within the state, which leads us to the final categorization, conditionalists.

Conditionalists do not focus on judgments based on isolated categories, instead, they look at specific, interrelated, elements and are "in favor of identifying factors with better or worse democratic outcomes among countries that experience intervention."[82] Conditionalists take part in the pessimist's argument by focusing on the level of effort put into the planning and execution by the outside democratizing force. Mary Fran Malone echoes this sentiment by finding that it is not so much the method of exporting democracy and democratic institutions that is most important in determining success, but the commitment to the mission such as funding and staffing of the initiative.[83] When embarking on a democratizing mission, James Meernik follows up on Malone's viewpoint by saying it is only when democracy is the

[76] Ibid, 95.
[77] Ibid, 96.
[78] Ibid, 100.
[79] Ibid, 97.
[80] de Mesquita et al, 440.
[81] Downes and Monten, 97-98.
[82] Ibid, 98.
[83] Malone, 1

main objective that it is successful.[84] This can be shown through two examples, one of success, and one of failure. James Dobbins explains that Germany by example is one of the most successful democratic transitions due to the United States stationing the highest number of troops per capita in the area.[85] Through an intersectional examination, Germany is an example of success due to having prior democratic institutions which needed to be rebuilt not created, continued economic development (and importance), and their geopolitical significance in Central Europe. In contrast, Haiti is seen by Dobbins (in addition to many scholars, journalists, and politicians) as a blatant failure of not just democratic nation-building, but nation-building in and of itself. This failure in part can be related to the small number of troops deployed and lower levels of aid per capita.[86] The main critique of the conditionalist viewpoint by Downes and Monten is that the research is focused primarily on the United States. However, for the betterment of this paper, it is precisely the United States' record of foreign-imposed regime change in Haiti that will be explored.

1.4 Democracy and Human Rights: A Relationship

Democracy and Human Rights are interrelated concepts that often are described as 'two sides of the same coin,' however, this explanation depends on which scholar you are consulting.

Beetham through his piece, "Linking Democracy and Human Rights" seeks to debunk the idea that democracy and human rights are "separate phenomena" which lack intersectionality.[87] Oftentimes, human rights and democracy are separated due to their differences in nature. For example, democracy is defined in collective terms as "a set of constitutional arrangements" whereas human rights are focused on the individual as their primary subject.[88] One reason for this separation of democracy and human rights, according to Beetham, stems from the Cold War. The Cold War created a "rivalry" between the eastern bloc, the Soviet Union, and the western bloc, the United States, based on fundamentally different viewpoints on political and social systems.[89] The creation of the UN and subsequent international treaties

[84] Downes and Monten, 99.
[85] Ibid, 99.
[86] Ibid, 98.
[87] David Beetham, "Linking democracy and human rights," *Peace Review* 9, no. 3 (1997): 351.
[88] Ibid, 351.
[89] Beetham, "Linking Democracy…," 351

occurring against this ongoing hostility ensured the separation of democracy and human rights in discourse as 'democracy' was never explicitly written in any founding UN documents or conventions.[90]

The founding of the United Nations in 1945 came at a critical time in history following the atrocities of World War II. Prior to 1945, human rights were seen as largely moral and philosophical ideas, there were instances of human rights being incorporated into constitutional law (in the Magna Carta and the United States Bill of Rights and Constitution), but not on the scale of the United Nations and international treaties and conventions. The development of the Universal Declaration of Human Rights (UDHR) in 1948 codified human rights as standards of international law and implemented peremptory norms of accountability between countries for their respect and promotion of human rights standards via the United Nations. Within this context, both a global civil society and the international human rights movement were born.[91] Rob Clark emphasizes that with the internationality of human rights came increased collaboration amongst states and state actors in the form of "international organizations, multilateral agreements, and world conferences" as a way to develop standards and "cultural models" to be used in future instances.[92] Two decades after the creation of the UN, in 1966, two integral conventions were drafted and ratified, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR), often referred to as the "UN Bill of Rights" along with the UDHR. Rob Clark expresses that democracy seems to have improved for most countries during this globalized shift, but the same cannot be said for human rights. The implementation of these two covenants established "generations of rights," parallel but interrelated concepts, based on the political priorities of the two rivaling blocs during the Cold War, the West (aka the United States) and the Soviet Union. Civil and Political Rights and the ICCPR were seen as a more "hands-off" approach to human rights and promoted by the Western bloc. Economic, Social, and Cultural Rights were seen as rights that stemmed from positive obligations of the State and were promoted by the Soviet or Eastern bloc. Later, the third generation of rights was defined as "collective" rights which continue to be more philosophical than legal in nature by international standards. However, the critique for different generations of rights is becoming outdated due to the increasing intersectionality, or horizontalization, of the concepts.

[90] Ibid, 351.
[91] Rob Clark, "A Tale of Two Trends: Democracy and Human Rights, 1981-2010," *Journal of Human Rights* 13, no. 4 (2014): 396.
[92] Ibid, 396.

From the above timeline, the understanding of the relationship between human rights and democracy can be defined by two different eras. The first being after WWII with the creation of the United Nations (UN) and subsequent conventions such as the ICCPR and ICESCR. The second period comes following the end of the Cold War in the 1990s and the re-evaluation of the globalized world and the way states interact within it. The late 20th century was an era of "cross-national development and convergence" as less developed countries began to "modernize and resemble affluence nations" with the aid of democracy and democratic principles.[93]

It was through the creation of the United Nations that "human rights" as they are known and understood today were formulated into words. However, the structure of the UN and its governing bodies renders its responsibility to the state and not to the people who are afforded such rights. This bureaucratic structure renders individuals powerless in their fight for their human rights and instead leaves them to trust their representatives to do the work.[94] This trust in representatives can be compared directly to the principles of liberal democracy. Beetham enforces this by stating that democracy and human rights should no longer exist in individual vacuums, however, his reasoning is based on the collapse of Communist regimes and other one-party government systems after the Cold War.[95] In fact, Beetham explains that it is the very collapse of Communist regimes that strengthen the notion that "democracy, along with human rights, to be a universal aspiration."[96] However, current events show the rise of illiberal democracies, decreasing the validity of Beetham's argument. Taking into account modern illiberal democracies, history still shows that under dictatorial (or non-democratic) governments, human rights standards become vulnerable, and it is the political system of a nation that can strengthen or degrade human rights standards and protections for its citizens.[97] Beetham defines this concept by first examining democracy and human rights within the context of the individual state and then expounding the evaluation to the international stage.

As is evident, democracy and human rights have a complicated global history, this rings true also in an American context. This rift between democracy and human rights promotion communities can be traced back to the "early 1980s and the beginning of the current wave of democracy promotion."[98] Looking back we can see it starting with President Ronald Reagan's swift momentum to anti-Communist policies from President Jimmy Carter's human rights focused policies. The discord between democracy

[93] Ibid, 395.
[94] Evans, 629.
[95] Beetham, "Linking democracy…," 351.
[96] Ibid, 351.
[97] Ibid, 351.
[98] Carothers, 109.

promotion and human rights promotion strengthened when Bill Clinton became President in 1993 and implemented a foreign-policy agenda based on promoting both democracy and human rights.[99]

The process of democratization inherently comes with the lingering promise of improving human rights standards within the country. However, de Mesquita and Downs take care to emphasize that outside states cannot improve human rights conditions without a holistic approach to democracy installation. It is when a democratization campaign creates an imbalance of human rights protections (specifically personal integrity rights) that human rights protection and democracy standards decline.[100] Some scholars have echoed this by statting that liberal democratic countries are inherently more adept at protecting and promoting human rights, signaling a "symbiotic relationship" between the two.[101] Tony Evans asks the very question of, "if democracy, then human rights" to evaluate the relationship between liberal democracies and human rights protection and promotion around the world. Evans encourages scholars to tread with caution when referring to the "symbiotic" relationship between democracy and human rights as a state's dedication to installing or maintaining a democratic government system does not mean a commitment to equality amongst its citizens and certainly does not mean a commitment to universal human rights.[102]

Thomas Carothers further questions the relationship between democracy and human rights in terms of allyship. Carothers argues this perspective by bringing in the two viewpoints of what he describes as "The Democracy Community" and "the Human Rights Movement."[103] The Democracy Community is defined as

> A loose amalgam of people who work on democracy assistance programs either at the small but growing set of quasi-governmental and nongovernmental organizations exclusively devoted to promoting democracy abroad, or at the very large number of non-governmental organizations, including many major U.S. universities, foundations, and policy institutes, that have established at least some activities aimed at promoting democracy abroad.[104]

It must be noted that for the purposes of Carothers' argument, it is not governmental bodies directly that are addressed in his definition of "The Democracy Community." The Human Rights Movement on the

[99] Ibid, 110.
[100] de Mesquita et al, 440.
[101] Evans, 623.
[102] Evans, 628.
[103] Carothers, 110.
[104] Ibid, 110.

other hand is the "semi-organized network of persons in the United States who work in domestic and international human rights organizations, or who work at development institutes, universities, law firms, or other organizations but devote some significant amount of their time to human rights work."[105] In regards to The Human Rights Movement it must be strongly noted that there is no congruency amongst the community as to how the United States government should promote democracy abroad.[106]

One main point of difference for Carothers in his viewpoint on the relationship between the democracy and human rights communities is that human rights and human rights standards are a set of international legal norms whereas democracy as a political ideology.[107] However, this explanation comes as a dangerous precedent when one considers that "the boundary between international law and politics is both porous and evolutionary," and that it is the customary practices of states that become a major source for the development of international legal norms.[108] It is for this reason that the idea of human rights and democracy being "two sides of the same coin" at the hands of the United States comes into play due to the assumption that "*by definition* promoting democracy entails promoting human rights and conversely that promoting human rights is a form of promoting democracy."[109]

The main points of difference between the Human Rights Movement and The Democracy Community come from the fact that the Human Rights Movement views democracy promotion as a constant risk of neo-imperialism.[110] The United States' pressure on foreign governments to shift to democracy is "of questionable legitimacy because democracy is just one of a number of competing political ideologies, not a binding obligation" that all states must follow to interact on the global stage.[111] While the idealization of a world composed of democratic governments is shared by both the human rights and democracy promotion fields, "it would not necessarily follow that external actors such as the United States could automatically assume that they are entitled to interpret for other societies what form democracy should take to attempt to influence its development in them."[112]

Globalization has changed the way human rights and democracy interact and coexist. Both concepts, once viewed as national considerations, now come with international enforcement and involvement.

[105] Ibid, 110.
[106] Ibid, 110.
[107] Ibid, 110.
[108] Ibid, 112.
[109] Ibid, 109.
[110] Ibid, 111.
[111] Carothers, 111.
[112] Ibid, 112.

Evans echoes this in his piece by saying, "one consequence of globalization is that it is no longer possible—if it ever was—to understand development, security, environmental degradation or human rights as exclusively national problems."[113] Democracy and human rights cannot be seen as static or once-off achievements, they are living norms and principles that require work.

[113] Evans, 628.

Chapter 2
A History of Haiti

Haiti's history starts with a uniqueness that still in modern times remains a marvel, freedom. The slaves in the former-French colony Saint Domingue usurped their colonizer's weapons and then overthrew their power in 1804. It is for this reason that Haiti *should* find its standing in history, not because it remains to be the poorest country in the Western hemisphere, but because it was the first successful slave revolt in recorded history. However, scholars argue that it was the unprecedented nature of Haiti's origin story that isolated the nation and created a spiral of economic, political, environmental, and human rights crises. This chapter explores the history of Haiti from its colonial era in the late 18th century through the violent military coup d'état of Jean-Bertrand Aristide in 1991. The legacy of coups and general instability enabled the United States to intervene. This chapter will also analyze the ways that the United States was able to intervene and impose their own standards of democracy, ultimately resulting in democratic failure, gross human rights violations, and ultimately leaving Haiti to constantly re-build their country 218 years after their independence.

2.1 The French Colony of Saint Domingue

Modern-day Haiti, previously known as Saint Domingue, was a French colony originally "discovered" by Christopher Columbus in 1492 on his first voyage to the New World.[114] Spain controlled the entire island, however, they focused mainly on the eastern side of the island, Santo Domingo, the modern-day Dominican Republic. Saint Domingue was gifted by Spain to France in 1697 who quickly discovered its economic promise and as Sidney Mintz explains, became "the epicenter of a tropical new world."[115] The slave trade quickly provided the French with a means to exploit the land's natural potential when it began on the island in 1633.[116] By the end of the 18th century there were roughly 10,000 slaves which rapidly grew to over 700,000 slaves by the end of the 19th century and the point of revolution.[117] Mintz estimates

[114] John R. Ballard, *Upholding Democracy: The United States Military Campaign in Haiti, 1994-1997* (Connecticut: Praeger Publishers, 1998), 4.
[115] Sidney W. Mintz, "Can Haiti Change?," *Foreign Affairs* 74, no. 1 (1995), 74.
[116] Ballard, 4.
[117] Ibid, 4.

the number of enslaved Africans in Saint Domingue to top 864,00 by 1791, a number so high the entire French fleet transporting slaves from Africa had Haiti as their final docking.[118]

These European colonies in the so-called "New World" were there to provide those back home in Europe, especially the growing urban working classes, with "novel foods" and goods such as sugar, indigo, and molasses but also with luxury vices such as rum, coffee, and tobacco.[119] While originally a Spanish castoff to the French, the untapped potential of Haiti evolved from as Laurent Dubois refers to it, "a marginal Caribbean frontier into the most valuable colony in the world."[120] Saint-Domingue became so successful that at one point it solely exported as much sugar as Jamaica, Cuba, and Brazil combined.[121] Exploiting the local resources and labor of the New World colonies came with tremendous financial profit to bankers, plantation and slave owners, slave traders, and the select few in the ruling classes of the colony itself.[122] Mintz breaks down the three-tiered "locale" that made these colonial efforts so fruitful, "Caribbean land had belonged to American Indians; the labor, most of it African, had belonged to the slaves themselves; the know-how, managerial skill, military power to take and hold colonies, and initial capital all came from Europe."[123] These colonies were seen as a means to European success and grandeur, Mintz explains this passion in economic terms, "the islands, fertilized with the labor, sweat, and blood of slaves, were like gold mines; the gold was agricultural."[124]

French Saint Domingue had found such success that it was referred to as a centerpiece of the entire Atlantic trading system.[125] The successful slave revolt that followed changed the way white Europeans would view the slave trade. David Brion Davis explains this by saying, "for numerous whites, the Haitian Revolution reinforced the conviction that emancipation in any form would lead to economic ruin and to the indiscriminate massacre of white populations."[126] By the time of the Haitian Revolution, the country had both a diverse mix of inhabitants but also a diverse social order, making it one of the most unique revolutions in history. The social system of the colony was unique in that there was an emerging class of *gens de couleur* or freed slaves who were "intermediate in color, status, and power."[127] This class of *gens*

[118] Mintz, 75.
[119] Ibid, 74.
[120] Laurent Dubois, *Avengers of the New World: The Story of the Haitian Revolution* (Cambridge: The Belknap Press of Harvard University Press, 2004), 11.
[121] David Brion Davis, "Impact of the French and Haitian Revolutions," in *The Impact of the Haitian Revolution in the Atlantic World,* ed. David P. Geggus (Columbia: University of South Carolina Press, 2001), 4.
[122] Mintz, 74.
[123] Ibid, 74.
[124] Ibid, 75.
[125] Davis, 4.
[126] Ibid, 4.
[127] Mintz, 75.

de couleur was situated below the status of *grands blancs* or the plantation and slave owners but were considered above the hundreds of thousands of enslaved Africans.[128] The *gens de couleur*, sometimes also referred to as *affranchis* or "freed people," were mostly the children (and descendants) of slave owners and female slaves. While this unsanctimonious sexual exploitation of female slaves was common practice in the New World, the children of these unions in Saint Domingue were often recognized by their white French fathers and sent outside of the colony to be educated and "empowered to inherit."[129] Sidney Mintz describes the *affranchis* as "true creoles, in the older meaning of that word: something of the Old World, born in the New. Neither Europeans nor Africans, they swiftly adjusted as a class to their status as non-European, slave-owning, and power-holding people."[130] Thus, as the Haitian Revolution found its footing, it was not just white Frenchman that needed to be ousted, it was the *affranchis*, a combative social dynamic that lingers into modern-day Haiti.

The late 18th century was a tenuous time for the greater world order. The American Revolution was not the end of a revolutionary period, but just the beginning as France and Haiti quickly followed suit. The slave revolt in Haiti began in 1791. The New York Times (NYT) reports that the slave revolt was carried out using whatever weapons were available, with fire being the most powerful by burning the cash-cow of Haiti, sugar cane fields, and plantations.[131] In 1794 slavery was outlawed in all French colonies, but this decree was quickly overturned in 1802 by Napoleon, sparking the final Haitian push for freedom.[132] David Brion Davis reports that the Haitian slaves were not alone in their revolt. Toussaint Louverture a leader of the Haitian Revolution to expel the French was aided by the United States by receiving both arms and transportation for his men by then-President John Adams.[133] Davis also purports that it was the French Revolution that laid the groundwork for the former slaves of Saint Domingue to rise up and establish a government through their antislavery power.[134] Just as Haitian slaves were rising together and declaring their independence, French ships, sent by Napoleon, lingered just off the coast in 1802 to quell the rebellion sparked by his re-approval of slavery but according to records over 50,000 troops as French-allies colonists died as they lost the battle.[135]

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[128] Ibid, 75-76.
[129] Ibid, 76.
[130] Ibid, 76.
[131] Catherine Porter and Constant Méheut and Matt Apuzzo and Selam Gebrekidan, "The Ransom Project – The Root of Haiti's Misery: Reparations to Enslavers," *The New York Times* (New York, NY), 20 May 2022, 17.
[132] Davis, 7.
[133] Ibid, 8.
[134] Robin Blackburn, "The Force of Example," in *The Impact of the Haitian Revolution in the Atlantic World,* ed. David P. Geggus (Columbia: University of South Carolina Press, 2001), 15-16.
[135] Porter, et al, 18.

2.2 The Republic of Haiti

It was on 1 January 1804, that Jean-Jacques Dessalines declared the official independence of the former colony of Saint Domingue from France, now called the Republic of Haiti.[136] Haiti was more than a Republic, it was the first Black republic, built by a successful slave revolt.[137] Dessalines went on to be crowned the emperor of Haiti in October 1804. However, his reign ended with the same amount of bloodshed as the Haitian Revolution itself. Dessalines ordered a widespread massacre of all "whites" left on the island. A decision seeded with revenge that jeopardized the image and reputation of Haiti internationally just as Davis explains the "new nation needed friendly relations with the wider world."[138] The Republic of Haiti was established through an abolitionist constitution and the news spread quickly to other slave states.[139] Davis explains that "even the vaguest awareness that blacks had somehow case off their chains and founded the new republic of Haiti brought a glimmer of hope to thousands of slaves and free blacks who were the common victims of a remarkably unified Atlantic slave system."[140] The news did not go unnoticed by white leaders, particularly in the United States.

"The Ransom Project" undertaken by the New York Times (NYT) outlines the widespread economic exploitation by foreign and domestic actors in Haiti.[141] The early years of Haitian independence were plagued by widespread economic exploitation by both the Haitian upper classes but also by their colonizer, France. The International Crisis Group outlines in a 2021 Briefing that in 1825 under "threat of invasion and war" from France, Haiti entered into an economic contract to pay 150 million francs to "indemnify their former enslavers" and secure international recognition of their independence.[142] This economic undertaking is referred to as both an "independence debt" and a "ransom" by the NYT.[143] The Haitian back-payments to the French not only bankrupted the new nation but isolated Haiti from participating in the greater global economy. Due to Haiti's inability to pay the steep ransom—the payments were reported by the NYT to be 6 times more than its annual income—French banks established predatory loans which plunged Haiti into "poverty and underdevelopment."[144] Due to this

[136] Davis, 8.
[137] International Crisis Group, "Haiti: a Path to Stability for a Nation in Shock" (Latin America and Caribbean Briefing N°44), Bogotá/New York/Brussels, 30 September 2021, 3.
[138] Davis, 8.
[139] Ibid, 7.
[140] Ibid, 8.
[141] Published in May 2022, four New York Times journalists exposed the long history of economic exploitation in Haiti which has caused widespread poverty in the Republic since the mid-19th century into modern-day 2022.
[142] International Crisis Group, 3.
[143] Porter et al, 10.
[144] Ibid, 10.

"double debt," Haiti lacked the resources to build and maintain basic institutions and infrastructure.[145] An economic burden that the International Crisis Group states remain intertwined with Haiti's modern-day crises.[146]

The Haitian upper classes on the other hand were, as Mintz explains, "siphoning off every productive effort of the agrarian masses to enhance their personal consumption" which resulted in an inability to expand domestic production.[147] While Haiti never returned to a traditional plantation system, agriculture was the basis of their economic and social order. Most Haitians lived in rural agrarian areas, and the rural society, and its land, became divided into three main categories. Firstly, ex-officers of the Haitian military were given the largest areas of land for their farms. Second, came ex-soldiers who received smaller allotments of land for their farms. Lastly, were scattered holdings of land occupied by Haitian squatters.[148] These farms or "homesteads," also called *lakou*, were ruled by patrilineal inheritance who would produce goods to be exported by the government, a smaller amount of goods that could be sold at local markets, and lastly a measly amount of saved for their family's subsistence.[149] While many living on these rural farms had little to their name, they lived relatively peaceful lives. Mintz describes this as "though violence marked changes in government from nearly the very beginning of sovereignty in 1804 until the U.S. occupation [in 1915] … the countryside remained relatively stable from the 1830s through the rest of the 19th century."[150]

Markedly absent from providing recognition of the new Republic of Haiti was the United States. The unprecedented slave rebellion turned revolution threatened both the economic interests of the United States as well as their own legacy of slavery. Pro-slavery, southern plantation owners didn't want their slaves to hear about the Haitian Revolution and risk the same fate occurring within their own borders.[151] David Davis echoes this by confirming, "after the former slaves of Saint-Domingue had defeated fifty thousand of Napoleon's veteran troops and had established their own independent nation, the whites would never be the same."[152] The race dictated stratification of society turned fragile with Haiti's newfound independence. Davis compares the Haitian Revolution with modern events such as the atomic

[145] Ibid, 10.
[146] International Crisis Group, 3.
[147] Mintz, 79.
[148] Ibid, 80.
[149] Ibid, 80-81.
[150] Ibid, 81.
[151] Ann Crawford-Roberts, "A History of United States Policy Towards Haiti," *Modern Latin America Companion Website* (2013), 1.
[152] Davis, 3.

bombing of Hiroshima as "turning points in history" due to the fact that they were events that never left the minds of those who witnessed them, Davis explains that "its meaning could be rationalized or repressed but never really forgotten, since it demonstrated the possible fate of every slaveholding society in the New World."[153] In fact, it was not until 1862, once the southern states in the U.S. seceded from the Union to create the Confederacy that the United States formally recognized the independence of Haiti.[154] Ann Crawford-Roberts also purports that Haiti was not recognized by the United States due to the fact that the U.S. could not fathom that slaves would have the power to overthrow a colonial powerhouse such as France.

Whether or not the official American political machine wanted to recognize Haiti's newfound independence, conversations within the general U.S. population were happening, specifically amongst former slaves. The American city of Philadelphia was the epicenter for free blacks in the United States and served as a refuge for many fleeing the colonies of the New World.[155] In 1893 at the Chicago World's Fair, Frederick Douglass, both a former slave and former Minister to the Republic of Haiti, delivered a "Lecture on Haiti" at the dedication of a pavilion at the fair to Haiti. Douglass highlighted the importance of American relations and support for Haiti, but ultimately highlighted their abolitionist revolt and newfound independence. He spoke of the economic and cultural benefits of diplomatic ties to the country, but observed that "while she is thus enriching our merchants and our farmers and our country generally, she is the one country to which we turn the cold shoulder."[156] Douglass spoke the powerful words, "we should not forget that the freedom you and I enjoy today; that the freedom that eight-hundred thousand colored people enjoy in the British West Indies; the freedom that has come to the colored race the world over, is largely due to the brave stand taken by the black sons of Haiti ninety years ago."[157] While the United States might have been unwilling to recognize the feat that the former slaves in Haiti had accomplished, the world was starting to take notice.

America's lack of diplomatic and political recognition of Haiti did not stop them from continuing to benefit economically, with unfair trade policies. The United States was Haiti's largest exporter aside from France.[158] The violence which marked Haiti's independence left "enduring scars" which Laurent

[153] Davis, 4.
[154] Crawford-Roberts, 1.
[155] Davis, 8.
[156]Frederick Douglass, 1893, "Lecture on Haiti," Transcript of Speech Delivered at the World's Fair Chicago, 2 January 1893, 9.
[157] Douglass, 34.
[158] Crawford-Roberts, 1.

Dubois explains left the door open for a history of "autocratic and militaristic political traditions" but also external exploitation (specifically by the United States) that would seep into social and racial conflicts within the country and leave the "conflict of the revolutionary years unabated."[159] The legacy of violence, political clashes, heavy taxes, and exhausted land conditions would leave the people of Haiti in grinding cycles of poverty and left with no choice but to take on dangerous migration routes in search of stability.[160] It was these very reasons that played into the United States' foreign policy and military interventions in Haiti.

2.3 The First American Invasion: 1915-1934

The invasion of Haiti in 1915 by the United States came at a time when the U.S. was starting to focus on establishing an American "empire" through control, both politically and militarily, in the Caribbean and the Pacific.[161] The NYT's "Ransom Project" describes the American invasion as "replacing" the French as the "dominant force" in Haiti.[162] Judson Jefferies also explains that the assassination of President Jean Sam, the sixth such event in less than five years, provided Woodrow Wilson with the final reasoning needed to invade.[163] For almost fifty years, the United States had warships on standby off of the coast of Haiti to protect U.S. interests according to James Ferguson.[164] However, with the most recent constitutional crisis, Haiti escalated from a "public nuisance" to an "unacceptable security risk" in the eyes of American foreign policy and security.[165]

American Marines touched down in Haiti to restore stability and carried on a twenty-year campaign. The fact that Haiti had seen six different presidents take the lead within the past five years, with none establishing stability and proper human rights conditions for the Haitian people deserved interference.[166] At first, the U.S. military served mainly as a police force within the country, however, their involvement in internal conflicts evolved to the forces supplanting their national presence, including influencing and reshaping Haiti's government, and capability and as time progressed, their extraction became more complicated.[167] The United States pulled the strings of multiple puppet presidents which cemented a

[159] Dubois, 302.
[160] Ibid, 302-303.
[161] Hans Schmidt, *The United States Occupation of Haiti, 1915-1934* (New Jersey: Rutgers University Press, 1995), 3.
[162] Porter et al, 26.
[163] Judson Jefferies, "The United States and Haiti: An Exercise in Intervention," *Caribbean Quarterly* 47, no. 4 (2001), 72.
[164] James Ferguson, *Papa Doc, Baby Doc: Haiti and the Duvaliers* (Oxford: Basil Blackwell Ltd., 1987), 23.
[165] Ibid, 23
[166] Crawford-Roberts, 1.
[167] Ibid, 1.

precedent for Haitians losing their voice in what happened in their own country, as Judson Jefferies describes it, they "wielded little influence in the administration of their own affairs."[168] NYT's journalists outlined the effects of the almost twenty-year campaign: "they installed a puppet government, dissolved parliament at gunpoint, entrenched segregation, forced Haitians to build roads for no pay, killed protesters and rewrote the nation's Constitution, enabling foreigners to own property for the first time since independence."[169] Further economic control came in 1922 when a bank loan was arranged to provide foreign bondholders (mostly American) with large interest payments based on the investment in Haitian public works.[170] It was specifically, the "National City Bank of New York," modernly known as Citigroup, which created a new series of predatory loans with the backing of the U.S government.[171] A similar tune to the former French ransom. An economic endeavor meant to promote growth within the country that had the exact opposite effect and further drained Haiti of any financial resources.

Under direction and training by the Marines, the country's national army was created. Crawford-Roberts explains that this American-trained Haitian military force is still responsible for violent coups and widespread human rights violations.[172] The *Garde d'Haiti* were originally a force welcomed by the Haitian people, serving as a source of stability within the nation. However, as time progressed and the American Marines began to enforce American values and policies on the Haitians, peace began to decay.[173] The tension did not stop there. The Marines and American leaders quickly discovered an old French Revolution-era law permitting forced labor to develop infrastructure, specifically roads. John Ballard described this work law or *corvée* as a massive slip in American foreign policy as they did not understand the impact it would have on Haitians and their living memory of slavery, "The Americans, without the benefit of a French-based legal culture, not fully understanding the impact of white-dominated work gangs in black Haiti and without much concern about the traditional bases of power within the country soon found themselves confronted by a growing number of acts of oppression."[174] Not to mention widespread accusations of racist policies and behavior towards Haitians. While there was only one instance of actual combat during the twenty-year invasion, the disconnect between rural Haitians and American imposition grew.

[168] Jefferies, 72.
[169] Porter et al, 26.
[170] Jefferies, 72.
[171] Porter et al, 26.
[172] Crawford-Roberts, 1.
[173] Ballard, 26.
[174] Ibid, 26.

Chris Cameron, a New York Times journalist describes the occupation as, "one of the darkest chapters of American policy in the Caribbean. The United States installed a puppet regime that rewrote Haiti's constitution and gave America control over the country's finances. Forced labor was used for construction and other work to repay debts. Thousands were killed by U.S. Marines."[175] In 1930 President Herbert Hoover felt the Americans had established enough positive infrastructure and influence in Haiti that the nation was deemed to have "political stability" due to some roads, buildings, and medical facilities being erected.[176] When President Franklin D. Roosevelt officially withdrew American troops on 21 August 1934, chaos ensued and the neoliberal economic policies they left behind through military force continue to negatively impact Haiti to this day.[177]

Whatever progress was achieved through the 19-year American occupation soon crumbled and racial tensions increased. The racist American occupation, according to Ferguson, gave rise to theories of black nationalism, a stark contrast to the perceived "white ethnocentrism" that was perpetuated through the military campaign. James Ferguson summarizes the legacy of the U.S. occupation as, "an acute sense of resentment felt by a generation of black intellectuals and activists who, with ample justification, perceived the Marines as the natural allies and protectors of mulatto supremacy."[178] The next generation of Haitian leaders grew up in the U.S. occupation, which gave rise to a distaste for American paternalism, one of them was Haiti's future dictator, Francois Duvalier.[179]

2.4 The Duvalier Era

Following the end of World War II and the onslaught of the Cold War, American policies were dictated by stamping out communist influence, by any means necessary. American leaders also played a hand in influencing a series of Haitian presidential successors following their military occupation. America's influence sought to keep mulattos sympathetic to American policies in power. However, the pro-mulatto tendencies gave rise once again to black nationalism. Francois "Papa Doc" Duvalier became a ruthless dictator in the country after ascending to power in 1957. Francois Duvalier was a doctor who promised Haitians, specifically the poor, that he would rid them of their *mizè* or misery.[180] Prior to the 22 September

[175] Chris Cameron, "As U.S. Navigates Crisis in Haiti, A Bloody History Looms Large," *The New York Times* (New York, NY) 19 December 2021, 2.
[176] Jefferies, 72.
[177] Ibid, 72.
[178] Ferguson, *Papa Doc…*, 29.
[179] Ibid, 29.
[180] Porter et al, 28.

1957 presidential elections, Ferguson reports that "five provisional governments rose and fell" which gave way to "every conceivable administration – military, constitutional, revolutionary – failed as the traditional antagonisms between black and mulatto, civilian and military, reasserted themselves."[181] Under a carefully constructed guise of national unity, Papa Doc secured his spot as president and quickly cemented his dictatorial practices. Papa Doc was a clever leader who strategically positioned himself as an anti-communist in a bid to win American sympathy and support, against the backdrop of Fidel Castro leading a communist revolution in Haiti and the United States developing a foreign policy with anti-Communism as the end goal.[182] While the U.S. viewed Papa Doc as a relatively stable new leader with previous American association, cordiality between the two parties quickly soured as suspicion of foul-play grew on both sides.[183] While Papa Doc was able to capitalize on the American skepticism by increasingly positioning himself against communist rhetoric in the form of increased American aid, the United States was faced with a dilemma. On the one hand the United States wanted to stamp down any potential for communism in Haiti (and beyond), this was possible through the Duvalier presidency, however, the human rights abuses and blatant disregard for democratic principles was becoming clear under Papa Doc.[184] James Ferguson explains that the United States viewed the risk of losing Haiti as losing "another formerly dependable fiefdom" and used their diplomatic strength to ensure Haiti worked in their international interest, particularly against Cuba, despite providing aid to a corrupt government which would never be properly handled and distributed.[185] In 1964, Papa Doc abolished any need for future elections and declared himself 'President for Life.'[186] While Papa Doc sought to portray his regime as a "symbol of black dignity and militancy," his methods instead pillaged any resources they could from Haitians, with no regard for their status.[187]

After Papa Doc's death in 1971, Jean-Claude "Baby Doc" Duvalier ascended to power and closely followed his father's brutalist policies. Baby Doc once again used communism condemnation to gain American support.[188] The Duvalier years are marked by high rates of murder, poverty, and corruption.[189] Jefferies estimates that under Papa Doc's rule, a minimum of 50,000 innocent Haitian civilians were killed, others fled the nation in search of safety, and the rest that remained sustained cruel and inhuman

[181] Ferguson, *Papa Doc…*, 36.
[182] Cameron, 3.
[183] Ferguson, *Papa Doc…*, 42-43.
[184] Ibid, 43.
[185] Ibid, 44.
[186] Ibid, 49.
[187] Ibid, 54.
[188] Ibid, 62.
[189] Jefferies, 72.

treatment.[190] While Cameron describes Papa Doc as the "worst dictator in the hemisphere" the United States turned a blind eye and by 1986 "had spent an estimated $900 million supporting the Duvalier dynasty as Haiti plunged deeper into poverty and corruption."[191] Alex Dupuy explains that while enormous sums of aid flooded into Haiti and their export-based manufacturing was successful, the economy of Haiti was left in shambles.[192] The skewed policies of the Duvaliers left only the "top government and military officials; foreign investors; the Haitian industrial and commercial bourgeoisie; the clientelistic professional, technocratic, and administrative bureaucratic cadres; and the larger base of the tontons macoutes" as the financial beneficiaries, leaving the vast population of Haiti to suffer in repression and poverty.[193] It was only after their eventual departure from power that Haiti began its transition to democracy.[194]

2.5 Haiti's Transition to Democracy: 1980s to 1990

In March 1987, Haitians voted to adopt a new constitution which would exert specific check and balances to prevent future predatory governments.[195] The new constitution outlined the following policies: "to place checks and balances on the executive; to distribute power among the three branches of government; to decentralize government; and to allow each president only one five-year term of office, always beginning on 7 February."[196] While this constitutional overhaul was meant to create positive change in Haiti's governmental practices, it also created significant weaknesses such as the constant need for elections and distributing power across each different branch in a way that stretched already insignificant funds.

The four years between the fall of the Duvalier Dynasty and the first free and fair elections of 1990 were brutal. These four years were marked by what Dupuy calls "an unparalleled political crisis" which saw the rise and quick fall of four different military propped governments. This period is marked by "neo-Duvalierism" or the continuation of oppressive policies while seeking power. There were three main forces at work during this time: first, Duvalier sympathizers and allies who wanted to continue their power; second, Haitian civilians were creating popular movements to restore the social order and ensure

[190] Ibid,, 72.
[191] Cameron, 4.
[192] Alex Dupuy, *Haiti In The New World Order: The Limits Of The Democratic Revolution* (London: Routledge, 2020), 48.
[193] Dupuy, *Haiti in the New*…, 48.
[194] International Crisis Group, 4.
[195] Ibid, 4.
[196] Ibid, 4.

they were involved in their own fate; and lastly, the everlasting United States hegemony.[197] The Haitian masses wanted social justice, jobs, human rights, and equality to return to their country, those who benefited from the Duvalier policies wanted to squash this movement. After suffering through four failed governments and years of gross human rights violations at the hands of these governments, a civilian government was appointed in March 1990 and charged with holding new elections. Madame Ertha Pascal-Trouillot was selected as the provisional president, however, she always intended for there to be a democratic election to find her successor.[198] While President Trouillot was seemingly a figurehead and not able to wield any sort of control, her cooperation with the Haitian electoral council ensured elections were held at the end of 1990.[199] The 1991 election offered a glimpse of democracy and stability returning to Haiti. In Haiti's first-ever free and fair democratic election in its 180+ year history, Jean-Bertrand Aristide was elected.[200] However, this glimpse of democracy under a freely elected government was briefly realized as Aristide's reign came to a violent end through a coup d'état.[201]

The rest of this paper will outline the degradation of human rights in Haiti starting with the 1991 coup until Aristide's additional ousting in 2004. The laundry list of crises that the Haitian people continue to face increases with each passing natural disaster, failed democratic process, and misuse of foreign aid. For this reason, a critical examination of Haiti's sordid history can provide modern changemakers with a starting point for constructing a democratic, stable, and safe country for all that inhabit it.

2.6 1990 On: Aristide, Democracy, and Human Rights

While the Duvalier era might have laid the groundwork for modern instability in Haiti, Aristide's first election and subsequent coup d'état cemented it. When Haiti gained its independence in 1804, it also gained a future of political, social, economic, and military instability, Aristide's ousting once again engrained a legacy of human rights violations in the search for democracy. Alex Dupuy explains the

[197] Dupuy, *Haiti in the New…*, 47.
[198] Jefferies, 73.
[199] Congressional Research Service, "Haiti: Background to the 1991 Overthrow of President Aristide (93-931; 22 October 1992)," Accessed 9 May 2022, 3.
[200] Congressional Research Service, "CRS Report for Congress – Haiti: Developments and U.S. Policy Since 1991 and Current Congressional Concerns (RL32294; 30 August 2007)," by Maureen Taft-Morales and Claire M. Ribando, accessed 9 May 2022, 1.
[201] Human Rights Watch, *Human Rights Watch World Report 1992 – Haiti*, 1 January 1992, 1.

severity of Aristide's ousting as it was the twenty-eighth coup to occur in Haiti since it gained its independence, and it was the fifth since the Duvalier-duo was finally overthrown in 1986.[202]

To understand the human rights legacy and American intervention that followed the coup in 1991, the prelude to Aristide's election must be evaluated. Haiti has an interesting way of explaining the future through past and present events. The era of neo-Duvalierism that erupted in Haiti following the ousting of Baby Doc in 1986 left room for one strong candidate that promoted and stood for the opposite politics of neo-Duvalierists or American-backed candidates. Aristide was the symbol of resistance to the old "boys club" mentality.[203] Jean-Bertrand Aristide was a Catholic priest from a "common" Haitian background. Aristide was staunchly opposed to the power asserted by the Haitian military and foreign influence, he preached a liberation theology to his supporters.[204] Jefferies describes the popularity he gained as a "fusion of mysticism, martyrdom, and anti-macoutism … a messianic character."[205] These characteristics won the support and devotion of the impoverished and disenfranchised masses of Haiti and piqued the negative interest of American leaders. Jefferies further describes his fan base as a group "crushed by the abject exploitation of the dominant classes and violence of the dictatorships and steeped in its own religious mysticism was ready to accept a savior."[206] In short, he was the United States' worst nightmare of a candidate.

Aristide was not the only one running for election. He faced three other men: Roger Lafontant, the former head of the *tontons macouts* and staunch Duvalier sympathizer; Marc Bazin, the American-backed candidate and former official of the World Bank; and Victor Benoit, a college professor who was never paid much attention as the National Front for Change and Democracy (FNCD) shifted their funding to Aristide prior to the election.[207] In short, Aristide was the opposite of who the United States wanted ruling Haiti. Aristide was keen to see structural and political reforms within the nation, he wanted a nation built on democracy and nationalism.[208] A staunch anti-imperialist, one of his key phrases used in speeches was, "we would rather die standing up, than live on our knees."[209] Having observed the American support towards the Duvalier dynasty and their direct involvement in training and propping up the Haitian

[202] Dupuy, *Haiti in the New World*…, 1.
[203] Jefferies, 74.
[204] Williams Blum, *Killing Hope: U.S. Military and CIA Interventions Since World War II – Part I* (London: Zed Books Limited, 2003), 371.
[205] Jefferies, 74.
[206] Ibid, 74.
[207] Jefferies, 74-75.
[208] Ibid, 75.
[209] Ibid, 75.

military, Aristide was suspicious of all American intel and involvement.[210] He actively and publicly opposed what Jefferies calls "neo-liberal prescriptions for Haiti."[211] His speeches denounced four main American policies: first, privatizing what should be public, state-run enterprises such as telephone companies, flour mills, and cement factories; second, the United States reduced taxes and duties to entice foreign investors while lowering the wages of Haitian workers; third, instead of investing in social spending (schools, hospitals, etc.) the U.S. ensured Haiti was paying their debt payments to the necessary foreign banks; and lastly, the United States cemented Haiti as an export-oriented economy which left the country dependent on outside goods to sustain life.[212] Aristide wanted to restore Haiti's vibrant economy, one it had not seen since it was called Saint Domingue, and answered to its colonizer France. William Blum asserts in his book that the CIA got involved prior to election day in 1990 to attempt to persuade Aristide to concede to Marc Bazin, the U.S.-backed candidate, however, this tactic failed. Once again, the United States wanted to ensure stability in their "sphere of influence" or as Blum refers to Haiti, "client states."[213]

Aristide did not just win the election, he won by a landslide with 67.5 percent of the vote, a vote Jefferies refers to as "one of the most noteworthy events in Haitian history."[214] A common man who entered the race only sixty days before voting took place became the mouthpiece of the poor Haitian masses. A dark horse of sorts that the United States did not see until it was too late, and they didn't have the intel necessary to stop his election.[215] Upon his inauguration in January 1991, Aristide referred to the day as "Haiti's Second Independence" an era of empowering the nation's poor peasant population and ending the legacy of violence, commonly at the hands of the state military and police.[216] Aristide's inauguration festivities were quickly challenged through an attempted coup d'état by Roger Lafontant on 7 February 1991.[217] This blatant attempt to overthrow democracy was a harbinger of the crises Aristide would face in his eight months as president. The CRS emphasized that Aristide faced "some of the worst social, economic, and political problems in the western hemisphere."[218]

[210] Blum, 372.
[211] Jefferies, 75.
[212] Ibid, 75.
[213] Blum, 371.
[214] Jefferies, 75.
[215] Ibid, 75.
[216] Jefferies, 75.
[217] Congressional Research Service, "Haiti Background to the…," 4.
[218] Ibid, 4.

While Aristide faced an uphill battle of winning support for the bourgeoise and neo-Duvalierists, he had big plans to improve the quality and safety of life for common Haitians. Aristide's three main proposals for economic reform were, "to impose price controls on basic food items, raise the hourly minimum wage to a combined cash and benefit total of 75 cents per hour and enforce legally required social security taxes."[219] His reforms continued into social welfare such as reducing illiteracy, fighting corruption in all sectors, and stopping the rampant drug (mostly cocaine) traffic in the country.[220] This cocaine trafficking economic endeavor was one previously enjoyed by mostly military officials, at the expense of civilians in Haiti and abroad. Haiti was rampant with violence, particularly political violence, and Aristide put "defanging" the state armed forces on his agenda as well. During Aristide's short tenure, America's Watch, later becoming Human Rights Watch, reported human rights improvements in the country. While Aristide is credited with these improvements, the Congressional Research Service reported that observers questioned Aristide's commitment to democracy.[221] Ironically, it was the very improvements that Aristide wanted to make to the country that made him a target, specifically of the United States. However, it must be duly noted that conditions within Haiti did not magically improve under Aristide, there is still a record of human rights abuses to contend with, but Jefferies reminds us that "one would be remiss to ignore the commendable strides that were made in reducing corruption, collecting more tax revenue, quelling violence, introducing democratic norms and creating international respect for Haiti."[222] Aristide sought to lay the groundwork for continued improvement.

Recalling the legacy of the Haitian Revolution comes to mind as Western, white, societies balked at the idea of African slaves rebelling against a Western imperialist lifestyle. Just as Aristide declared the so called "second independence" of Haiti, the elite and certain American leaders were fearful of a society to once again rebel against the neo-imperialist society they live in. Scholars debate all the preluding factors to the 1991 violent coup d'état. In addition to the reasons mentioned above, Jefferies explores the idea that it was Aristide himself and the way that he governed that made him a target. A President with the support of the common masses, but isolated when it came to the Haitian (and foreign economic) elites. His radical changes empowered his support base, but there was no collaboration between the two sides.

[219] Jefferies, 75-76.
[220] Ibid, 76.
[221] Congressional Research Service, "Haiti Background to the…," 4.
[222] Jefferies, 76.

On 30 September 1991, Jean-Bertrand Aristide was deposed in a military back coup by Lieutenant General Raoul Cedras, Roger LaFontant, and Major Michel Francois of the Haitian police.[223] The coup leaders installed then-Supreme Court Justice Joseph Nerette as a "provisional" but really puppet president of Haiti.[224] The United States, United Nation, and Organization of American States immediately denounced the coup d'etat that ousted President Aristide from office and demanded his reinstatement.[225] In order to pressure the de facto military government that took over, The U.S., UN and OAS instated harsh sanctions and embargoes to persuade the military junta to step down.[226]

2.7 The Role of the CIA in Haiti

Direct American intervention in Haiti can be traced back to the 19th century, however, the modes of intervention have changed throughout time. The first American occupation in Haiti from 1915 to 1934 began just as their other conquests in the Caribbean began, with economic and commercial interests as the driving force, but quickly devolved into establishing military and political control. Protection of American national security and immigration statistics served as markers for intervention in the state of Haiti. Following the withdrawal of U.S. Marines in 1934, American influence turned covert through economic policies, democracy promotion, and the CIA. Under the guise of democracy promotion as a universal ideal, the United States has been able to, as Dupuy explains, use its democratic ideology as a shield in international matters to instead protect its own interests and desires.[227]

The Central Intelligence Agency (CIA) is the United States intelligence agency and has a long history of both covert and clandestine actions and missions internationally. The CIA was created in 1947 with the mandate to "collect, produce, and disseminate foreign intelligence and counterintelligence."[228] The President of the United States also has to power to authorize covert operations through the CIA that are deemed "necessary" to support the foreign policy objectives of the United States and ensure its national security.[229] However, while the U.S. President can authorize operations, the agency does not always require direct approval for its actions. This independence shows the potential for unchecked power in

[223] Ibid, 77.
[224] Ibid, 77.
[225] Dupuy, *Haiti in the New World*…, 1.
[226] Ibid, 1.
[227] Dupuy, *Haiti in the New World*…, 7.
[228] Kathleen Marie Whitney, "Sin, Fraph, and the CIA: U.S. Covert Action in Haiti.," *Southwestern Journal of Law & Trade in the Americas* 3, no. 2 (1996), 305.
[229] Ibid, 305.

certain situations (particularly covert operations), both domestically and internationally.[230] Kathleen Whitney outlines common covert activities as: "propaganda, political influence, paramilitary operations, sensitive intelligence collection, advice, foreign military sales, forcible extradition, terrorist bombing, assassinations, currency destabilization, interest group infiltration, financial subsidy to candidates, and coup support."[231] The CIA was a vessel through which to promote and protect the American democratization project in Haiti, sometimes breaking international law in the process.

The creation of the UN, regional human rights systems, and international treaties are to enshrine the right of the state to sovereignty and self-determination and prevent undue outside intervention, in international law.[232] The CIA's main involvement in Haiti was between the years of 1963 and 1986 during the Duvalier reign.[233] While U.S. forces left in 1934, their continued training and support of the Haitian military turned contentious. The CIA was responsible for providing a plethora of aid which Kathleen Whitney defines as, "training, funds, and equipment to the corrupt Haitian military; created SIN, a Haitian intelligence service that engaged in drug trafficking and political violence; investigated and falsely reported about the democratically-elected Haitian President; financially supported and protected individuals and groups responsible for the 1991 military coup and its aftermath."[234] In short, the CIA provided support for specific groups and candidates in an attempt to influence Haitian politics in their favor.[235]

Francois Duvalier, the self-proclaimed President for Life of Haiti, and his successor, his son Jean Claude Duvalier received support from the CIA due to their staunch anti-communist stance against the backdrop of Cuba's Communist Fidel Castro. However, the CIA (and the general U.S. government) is implicated in multiple coup d'état attempts during their thirty-year dictatorship. There are examples of arming and providing necessary aid to rebel groups on three occasions in 1963, 1968, and 1982.[236] Within a month of Baby Doc's departure from power, the United States pledged $26.6 million in both economic and military aid to the country.[237] It was in 1986 that the United States assisted in the creation of the National Intelligence Service of Haiti, known as the *Service d'Intelligence National* (SIN), to gather political and military intelligence for the benefit of Haitian leaders (and the United States).[238] The Haitian President

[230] Ibid, 305.
[231] Ibid, 306.
[232] Ibid, 307.
[233] Ibid, 315.
[234] Ibid, 303.
[235] Ibid, 316.
[236] Whitney, 316.
[237] Blum, 370.
[238] Whitney, 370.

at this time, Lieutenant General Henri Namphy incorporated past members of the *Tontons Macoutes*, a Duvalier-era militia, and incorporated them into the Haitian army which resulted in widespread violence and human rights violations.[239] The United States seemingly turned a "blind eye" to these events, the CIA had its sights set on the upcoming elections in 1987. While the people of Haiti sought respite from the terror of the Duvaliers, their departure provided no such peace. William Blum reports that in the 21 months between Jean-Claude Duvalier abdicating his position of power and the scheduled elections of 1987 (that never actually came to fruition), the Haitian governments that followed murdered more civilians than in Jean-Claude's fifteen-year tenure.[240]

Jean-Bertrand Aristide was a rising candidate in the 1987 elections, and the CIA supported candidates which went against his nationalistic liberation theories.[241] While the CIA defended their actions as "permissible" their interference in the election directly went against both international law and international human rights law. In the wake of the bloodied massacre during the 1987 election, the U.S. publicly cancelled aid to the Haitian military, however, millions of dollars were still provided to SIN.[242] Aristide went on to win the 1990 presidential election.

The CIA's involvement in Haiti has been called into question by scholars and reporters around the world. However, their involvement is one which remains a constant. To impose democratic norms in Haiti, the U.S.-based CIA violated international law to pursue American interests. The constant betrayal of democratic and human rights norms further instilled a fear and disgust for American intervention in the eyes of common Haitians. A viewpoint which would progress through the American invasion in 1994 and into modern-day.

[239] Ibid, 317.
[240] Blum, 370.
[241] Whitney, 318.
[242] Ibid, 319.

Chapter 3
Human Rights in Haiti After the 1990 Elections

In 1990, the first free and fair elections were held in Haiti with Jean-Bertrand Aristide, a grassroots preacher, winning the majority of the vote and ascending to the position of President. However, Aristide saw less than one year in power as in September 1991, a violent coup d'état uprooted Aristide from power and left a vacuum of instability in its wake by a Haitian military de facto government. This chapter explores the impact on human rights protection in Haiti following the 1991 coup until Aristide's reinstalment as President in 1994 with the aid of the United States government and military.

Haiti has suffered from widespread human rights violations since its independence in 1804. From corrupt leaders to coup d'états to military juntas, peace and stability have been fleeting. After Jean-Bertrand Aristide was democratically elected in the first free and fair election in Haiti in December 1990, Haitians saw progress on their horizon. However, the violent military coup in September 1991 sent Haiti into another era of instability and widespread human rights violations. The main human rights that I will focus on are freedom from arbitrary arrest and violence by the Haitian government (and military), the freedom of human rights professionals to monitor and preserve human rights, and the presence of free and fair elections following the December 1990 vote.

3.1 Human Rights Following the Coup

Kate Doyle, a foreign policy analyst, speaks of the "hollow diplomacy" at the hands of the United States in Haiti prior to, during, and after the 1991 coup d'état. Doyle outlines a disaster far greater than the coup d'état itself, refugees. In September 1981, under the U.S. Reagan Administration and the Haitian Duvalier's a bilateral "interdiction policy" was signed which "permitted the U.S. Coast Guard to interdict boats on the high seas and to return undocumented passengers to Haiti."[243] In a 1995 Congressional Research Service (CRS) report, it is noted that Haiti is the only country with which a policy of this nature exists with the United States.[244] Doyle outlines this policy as "plucking" Haitian refugees or "boat people" from the dangerous sea and "depositing them back on the island they had fled."[245] Through this

[243] Congressional Research Service, "Haiti: Efforts to Restore…," 14.
[244] Ibid 14.
[245] Doyle, 50.

1981 policy, "Immigration and Naturalization Service personnel were required to "screen" refugees on board a Coast Guard ship before transporting them back to Haiti."[246] An arbitrary method of profiling asylum cases. The same CRS report disclosed that "from September 1981 through October 1990, the Coast Guard interdicted 22,651 Haitians at sea … fewer than a dozen Haitians were allowed into the United States to apply for asylum."[247] During the (brief) period that Aristide was in power, the CRS reported that they did not encounter any Haitian boats with migrants on board.[248] Flash forward to the coup in September 1991 when President George H.W. Bush temporarily suspended the strict repatriation legislation. Haitian migrants were then taken to Guantanamo Bay, Cuba to have their pre-screening interviews processed. The CRS reported over 66,954 Haitian fled following Aristide's exile and that in the 6-months following the coup, "more than 10,000 of those pre-screened, or about 30% were allowed to go to the United States to seek asylum."[249] The official stance of the H.W. Bush administration was that the majority of Haitian migrants were fleeing poverty and were therefore "ineligible for political asylum."[250] However, refugee advocates and human rights organizations detailed the conditions on the ground to be deteriorating so quickly that many migrants were actually likely facing "political persecution at home from the military-dominated government and that conducting inadequate or no interview resulted in returning many who might have had legitimate claims to refugee status."[251]

As human rights abuses in Haiti continued to grow, so did American fear of incoming refugees. The 1995 CRS Report analyst outlined that American lawmakers, specifically Members of Congress, were taking note of what was happening in Haiti and "expressed concern" that there was a "perceived element of racism" in the strict migration policies against Haiti. This Reagan-era policy can be directly related to the Cuban Adjustment Act of 1966, however, in Cuba's case, Cuban migrants were "almost automatically granted permanent residence."[252] In fact, the CRS analyst (whose name has been redacted) outlined that "some critics argued that failure to give Haiti the same designation "of special humanitarian concern" given Cuba, considering Haiti's decades-long record of oppression, was a racist action."[253] In May 1992, the H.W. Bush Administration further strengthened its interdiction policy and Haitian asylum claims were no longer processed in screening facilities (one being in Guantanamo Bay, Cuba), instead Haitian

[246] Ibid, 50.
[247] Congressional Research Service, "Haiti: Efforts to Restore…," 14.
[248] Ibid, 14.
[249] Congressional Research Service, "Haiti: Efforts to Restore…," 14.
[250] Ibid, 14.
[251] Ibid, 14.
[252] Ibid, 15.
[253] Ibid, 15.

"boat people" were forcibly returned to the country without so much as a hearing.[254] The United States Department of State emphasized that Haitians were generally at risk, however, their repatriation did not put them at any additional risk than the perceived "normal" circumstances.[255] Against this backdrop, American diplomats were seeking to restore Aristide to power in Haiti while granting amnesty to coup military leaders. Doyle explains that as both Aristide himself and the Haitian people awaited his return to power, "the repatriation program continues, in defiance of international law, subverting the administration's optimistic rhetoric about restoring democracy to Haiti."[256] In short, the United States uttered strong words in support of democracy in Haiti but did the opposite with their actions, specifically through their strict migration policies, and even violated UN conventions and international norms.

The military coup d'état inflicted severe damage to Haiti across all sectors. Just as Aristide fell from power, the OAS called for "a worldwide economic embargo against the de facto regime."[257] The United States stood with the OAS' words and acted in 1991 through bilateral trade sanctions across Haiti's industries and placed a freeze on the Haitian government assets which were being controlled by a de facto military government.[258] This embargo only exacerbated prior issues such as malnutrition, poverty, access to adequate medical care, fuel shortages, and more. The CRS reported that the embargo sanctioned by both the U.S. and OAS had a "devastating economic and ecological impact on Haiti."[259] More than half of the population was suffering from malnutrition, medical services were extensively pared down due to a lack of supplies, fuel shortages led to increased deforestation, and crucial humanitarian assistance was only delivered through "Private Voluntary Organizations (PVOs)."[260] Haiti was quickly becoming a pariah of the Americas and beyond and internal suffering of civilians was spreading. The Congressional Research Service reported that the situation on the ground in Haiti after the 1991 coup "deteriorated from extreme poverty to a state of virtual famine in some parts of the country."[261] Under the threat of human rights violations, economic peril, and extortion by "Haiti's military rulers and their henchmen" civilians continuously took to unstable boats in search of safety and Amnesty International estimated in 1992 that 42,000 had "taken to the seas" in search of safety in the United States.[262]

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[254] Doyle, 51.
[255] Congressional Research Service, "Haiti: Efforts to Restore…," 15.
[256] Doyle, 51.
[257] Ibid, 51.
[258] Ibid, 51.
[259] Congressional Research Service, "Haiti: Efforts to Restore…," 16.
[260] Ibid, 16.
[261] Ibid, 3.
[262] Amnesty International, "Failure to protect…," 1.

In 1991, Amnesty International released a memo detailing the human rights violations immediately following the September coup. The main violations observed included, "a large number of extrajudicial executions, beatings, and mass arrests without warrant" by the Haitian security forces.[263] With a military junta ruling the country, state-sponsored security forces entered different sectors of the capital Port-au-Prince killing and wounding hundreds of innocent civilians. Amnesty further reported that "scores of people, many of whom were demonstrating in support of President Aristide, were indiscriminately and deliberately shot at by military personnel riding Jeeps in different areas of the capital."[264] It was not just civilian Aristide supporters that were targeted. Amnesty International reported that politicians and leaders present at the National Palace with President Aristide on the night of the coup were subjected to beatings and death threats by the same security forces, this included Captain Danny Toussaint and the Haitian Chief of Police Pierre Chérubin.[265]

In the wake of the 1991 coup d'état The International Civilian Mission in Haiti (MICAH) (English pronunciation), *Mission Civile International en Haiti* (French pronunciation) or *Misyon Sivil Entènasyonal an Ayti* (Creole pronunciation) was established by the United Nations and the Organization of American States (OAS).[266] MICAH was officially established in February 1993 at the request of deposed President Aristide with a mandate to

Ensure respect for the human rights inscribed in the Haitian Constitution and the international instruments which Haiti was party to, in particular the International Covenant on Civil and Political Rights (ICCPR) and the American Convention on Human Rights; and contribute to the strengthening of judicial, police, and prison institutions important for the promotion and protection of human rights.[267]

In addition to their prescribed mandate, MICAH paid special attention to the following human rights: "the right to life, the integrity and security of the person, and the freedoms of expression, association, and assembly."[268] However, the active military junta in power caused extreme challenges for the mission. To fulfill its mandate, MICAH was authorized to "receive communications about alleged human rights violations; to enjoy complete freedom of movement within Haitian territory; to interview anyone freely

[263] Amnesty International, "Haiti: Human Rights Violations after…," 1.
[264] Ibid, 1.
[265] Ibid, 2.
[266] "United Nations Mission in Haiti (UNMIH) - Background (Summary)," United Nations (United Nations), accessed June 27, 2022, https://peacekeeping.un.org/sites/default/files/past/unmihbackgr1.html., 1.
[267] Ibid, 2.
[268] "United Nations Mission in Haiti (UNMIH) - Background (Summary)," United Nations (United Nations), accessed June 27, 2022, https://peacekeeping.un.org/sites/default/files/past/unmihbackgr1.html., 2.

and privately; to verify case follow-up in Haitian institutions and make recommendations to Haitian authorities; to undertake public information and human rights education campaigns."[269] Even with this large swathe of power, MICAH staff faced extreme danger in Haiti. For this reason, in October 1993, the MICAH staff was evacuated for security purposes to the Dominican Republic.[270] While some MICAH staff returned a few months later in January/February 1994, Haiti's de facto regime expelled the entire operation from the country in July 1994.[271] It was not until the United Nations-sanctioned "Multinational Force (MNF)" entered Haiti in September 1994 that the de facto regime was forced out of the country and Jean Bertrand Aristide was returned to power on 15 October 1994.[272] MICAH was resumed to its full abilities, which included expanding its operations to nine regional offices with a headquarters in Port-au-Prince, within Haiti on October 26, 1994.[273]

1994 was a breaking point year for Haiti. With the threat of an American invasion and state-sanctioned violence running rampant in the country, thousands of Haitians once again fled the violence and human rights abuses in the country in search of safety and stability. With the legacy of what happened in the first American invasion, Haitians not only fled the country because of their own oppressive leadership, they wanted to escape of what might be to come at the hands of the American military once more. They went to live either "*en marronage"* (in hiding) or fled the country altogether on as Amnesty International refers to it, "unseaworthy craft," many unfortunately drowned making the journey to the United States, specifically Florida. Those that were successful were intercepted by American forces and either sent to Guantanamo Bay for screening (and then returned) or forcibly returned immediately to Haiti, violating the international human rights non-refoulment standard. The rise of media coverage complicated American migration policies and public opinion. Amnesty International reported in 1994 that "newspapers and televisions around the world were full of heart-breaking scenes of foundering crafts, drowning children and bedraggled survivors crawling exhausted onto Florida's tourist beaches."[274] However, the United States maintained strict migration policies towards Haitians.

3.2 1990-1994: Freedom from Arbitrary Arrest and Violence by Government

[269] Ibid, 2.
[270] Ibid, 2.
[271] Ibid, 2.
[272] Ibid, 2.
[273] Ibid, 2.
[274] Amnesty International, "Haiti: On the Horns of a Dilemma: Military Repression or Foreign Invasion?," (AMR 06/033/1994); 23 August 1994, 1.

International law forbids arbitrary arrest, detention, and violence at the hands of the government or government-controlled military/police. Article 9 of the Universal Declaration of Human Rights (UDHR) states that "no one shall be subjected to arbitrary arrest, detention, or exile."[275] Article 9 of the International Covenant on Civil and Political Rights (ICCPR) states that "everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law."[276]

Dismal prison conditions, violence perpetrated by government entities, and circumstances of arbitrary arrest were present long before the coup d'état in September 1991. In Amnesty International's 1990 Annual Report, detailing events from January to December 1989, arbitrary arrests "without a warrant" and "without charge" were reported against "peasants and members of grassroots organizations … arrested for their peaceful activities or criticism of the authorities."[277] April 1989 brought about two coup d'état attempts against then-President Prosper Avril. While Avril maintained power, "the level of street crime and violence increased" in Haitian neighborhoods, and "members of the security forces were reportedly involved in a number of crimes, including robberies, assaults, and murders" both in the city centers and rural areas.[278] While the capital of Port-au-Prince and other urban centers saw violence at the hands of security forces, Amnesty reported that in the Haitian countryside, "there were frequent reports that members of the security forces and *chefs de section* (rural police chiefs) intimidated, arbitrarily arrested, and ill-treated peasants."[279] In September 1989, the *Office pour la protection des citoyens* (Office for the Protection of Citizens) was established to "investigate human rights violations" however, Amnesty International never received correspondence on its activities and progress.[280]

Following staunch opposition from the Haitian people, President Prosper Avril resigned from his position of power in April 1990. With democratic elections quickly approaching on 16 December 1990, a transitional government, headed by Ertha Pascal-Trouillot, took Avril's place. Human rights in 1990 continued to turn for the worst with Amnesty International reporting "violent crime, indiscriminate shootings and killings by heavily armed men, sometimes in military uniforms, continued to be widespread."[281] While it is reported that the violence at this time in 1990 was often not acted upon due

[275] United Nations. 1948. *Universal Declaration of Human Rights*.
[276] United Nations (General Assembly). 1966. "International Covenant on Civil and Political Rights."
[277] Amnesty International. "Amnesty International Report – 1990." © Amnesty International Publications, 1990, 110.
[278] Ibid, 110.
[279] Ibid, 110.
[280] Ibid, 110.
[281] Amnesty International. "Amnesty International Report – 1991." © Amnesty International Publications, 1991, 108.

to political motivations, Haitians branded the time as *"l'insécurité"* or "the insecurity" as the evidence piled up against these acts being "committed by members of the security forces."[282] With instability continuing to rise within the nation, Haitian security forces continued to arbitrarily arrest innocent civilians including as reported by AI "members of grassroots organizations and human rights groups, journalists, peasants … and street children."[283] Release from detention was not quick and often involved extortion in exchange for freedom.[284] Through in-depth research and first-hand reporting, Amnesty detailed the ill-treatment, and instances of torture, towards detainees by Haitian security forces: "severe beatings with fists and sticks on the soles of their feet, the genitals, and eyes and the head."[285] At least four prisoners were confirmed to be killed as a result of such treatment.[286] Outside of prison settings, security forces were also "allegedly" involved in death squad-style killings of civilians.[287] Despite establishing the *Office pour la protection des citoyens* in 1989, "the government was not effective in bringing those responsible for human rights violations to justice, despite announcing inquiries into several cases and arresting and dismissing some officials implicated."[288] Amnesty International once again wrote to both President Avril and President Pascal-Trouillot during their times in power to express grave concern for the human rights conditions occurring in Haiti and requested information about steps being taken to prevent such atrocities from occurring in the future but no response was ever received.[289]

In July 1990, Amnesty reported the return of Roger Lafontant, "a prominent member of the government of deposed President Jean-Claude Duvalier" and a man who has been public accused of "gross human rights violations."[290] The Haitian government sought to arrest Lafontant, however, Haitian security forces refused the warrants and subsequently refused to arrest Lafontant. Fast forward to January 1991 after Jean-Bertrand Aristide had won the Presidential seat through a free and fair election, Roger Lafontant led an attempted coup.[291] While Lafontant was unsuccessful, Amnesty reported an estimated 30 people were killed in the attempt.[292] Under Aristide's rule, Lafontant and over twenty other co-conspirators were charged with "crimes against state security" following the coup attempt and were held in detention facilities without access to legal resources in addition to forced labor. Amnesty reported that Roger

[282] Ibid, 108.
[283] Ibid, 109.
[284] Ibid, 109.
[285] Ibid, 109.
[286] Ibid, 109.
[287] Ibid, 109.
[288] Amnesty International, "Amnesty Report… 1991," 109-110.
[289] Ibid, 110.
[290] Ibid, 110.
[291] Amnesty International. "Amnesty International Report – 1992." © Amnesty International Publications, 1992, 132.
[292] Ibid, 132.

Lafontant had died on 30 September 1991 after being shot on 29 September in Haitian control at the National Penitentiary under circumstances "which remain unclear."[293]

President Aristide came from the *Front national pour le changement et la démocratie* or the "National Front for Change and Democracy."[294] Through some of his first acts as President, Aristide sought to prosecute some Haitians, specifically higher leaders, that were responsible for human rights violations from the time of 1986 to the election in 1990. In August 1991, "a commission of human rights workers and politicians to investigate human rights abuses committed between 1986 and 1990" was created, however, just one month later a successful military coup ousted President Aristide and the new de facto government released all charges and all persons prosecuted during Aristide's short tenure in power.[295]

Only one month after Aristide became officially President of the Republic of Haiti and began his work, Haiti became a ratified party to the International Covenant on Civil and Political Rights (ICCPR). A document that enshrines the right to freedom from arbitrary arrest and violence at the hands of the government. While President Aristide was seen as a tide of change within Haiti, his human rights records regarding state-sponsored or permitted violence against political opponents were widely documented by Amnesty International and other NGOs. Amnesty reported in their 1992 Annual Report that "on several occasions crowds attacked or threatened suspected political opponents of President Aristide leading to violent incidents in which a number of people died … President Aristide appeared to condone several such incidents."[296] Against the backdrop of a long legacy of political instability and consistent coup attempts, President Jean-Bertrand Aristide fell victim to inciting human rights violations during his short tenure.

But Aristide's power came to a violent end on September 29, 1991, as military leaders overthrew the President and sent him into exile in Venezuela.[297] This military coup ignited an increase in violence and oppression by the new de facto government forces. Violence was increasingly present in poor communities in Haiti, as they were the largest supporters of Aristide. However, Aristide supporters from all socioeconomic backgrounds were targeted during this time. In the immediate aftermath of the coup, Haitian soldiers would openly fire into crowds. Amnesty International reported in 1992 that these attacks were both deliberate and indiscriminate and killed hundreds of people, including children.[298] Amnesty

[293] Ibid, 133.
[294] Amnesty International, "Amnesty Report… 1991," 108.
[295] Amnesty International, "Amnesty Report… 1992," 132.
[296] Ibid, 132.
[297] Amnesty International, "Amnesty Report… 1992," 1.
[298] Ibid, 1.

International also reported Haitian soldiers raiding private homes in a neighborhood where they went on to murder 30 civilians and then "forced relatives and other local people to bury the bodies."[299] This violent behavior was coupled with arbitrary arrest and detention. The de facto leaders wanted to ensure stability and loyalty to their new regime. Following in the footsteps of the predecessors (both Aristide and the Duvaliers), albeit on a wider scale, the de facto leaders under the ultimate leadership of Raoul Cédras arrested and detained both civilians and prior Aristide advisors/employees.

Widespread reporting of human rights violations in Haiti prompted an Amnesty International delegation to visit the country in March and April 1992. Through their investigation, "extensive evidence of continuing grave human rights violations carried out by the security forces or those working with them and, in particular, that in rural areas the reinstatement of the *chefs de section* (rural police chiefs) has resulted in widespread human rights violations."[300] In February 1992, The OAS was able to broker an agreement between President Aristide and the National Assembly of Haiti (aka parliament) to recognize Aristide as the "legitimate president" but, the Supreme Court struck down the agreement just one month later on the basis of being unconstitutional. [301] 1992 as a whole served as a transitional year for outside forces, primarily the OAS, to investigate the current circumstances in Haiti and devise a plan for the reconciliation of President Aristide to power. In September of that year, Amnesty sent another faction to Haiti to "monitor the human rights situation and the distribution of humanitarian aid, and to evaluate the progress of negotiations."[302] Upon investigation AI found that at least 800 civilians were arbitrarily arrested due to their political discourse by government forces, the military, national police, rural police, and civilians acting on behalf of the previous factions.[303] Amnesty documented the primary victims of these detentions as "President Aristide's supporters and former officials in his government, residents of poorer urban and rural areas, journalists, members and leaders of grassroots organizations, peasants, trade unionists and members of the Roman Catholic Church."[304] Prison and detention center conditions continued to decline, forced disappearances were reported with at least 10 people disappearing during 1992 alone, and over 100 extrajudicial killings were reported by Amnesty International.[305] As it had done

[299] Ibid, 1.
[300] Amnesty International, "…Failure to Protect…," 1.
[301] Amnesty International. "Amnesty International Report – 1993." © Amnesty International Publications, 1993, 146-147.
[302] Ibid, 147.
[303] Ibid, 147.
[304] Ibid, 147.
[305] Ibid, 147.

each year prior, Amnesty International continued to publish its findings and publicly denounce the treatment and conditions of human rights in Haiti.

3.3 The Governor's Island Agreement + American Efforts to Restore Democracy

Leading up to the 1993 Governor's Island Agreement, the United States instituted mainly a policy of naming and shaming the de facto Haitian government to "restore constitutional democracy" through international pressure. However, the United States also implemented direct pressure by "cutting off assistance to the Haitian government, imposing trade embargoes … supporting OAS and UN diplomatic efforts; and imposing sanctions targeted at the leadership blocking Aristide's return."[306] Two important questions on the minds of American leaders were whether the mechanisms put in place by the OAS and the UN were an "enduring solution" but also whether these mechanisms could "forestall Haitians attempting to flee to the United States."[307] With their sights set mainly on democratization efforts (and restoring Aristide), deteriorating human rights conditions were creating the massive migrant influx to the United States, which moved human rights considerations to a secondary consideration in American efforts. As such, the Clinton Administration frequently quoted "obstructing the restoration of democracy in Haiti" as their primary reason for increasing the list of people targeted by sanctions.[308] However, in July 1993, the United States along with the UN brought Haitian parties to the table to figure out a lasting solution for the re-establishment of President Aristide.

The Governor's Island Agreement or *Accord de Governors Island* signed on 3 July 1993, outlined ten conditions to ensure Jean Bertrand Aristide's return to power in Haiti. American and UN diplomats gathered on Governors Island, a U.S. Coast Guard Base off the coast of Manhattan, New York along with factions from the two Haitian parties, President of the Republic of Haiti, Jean-Bertrand Aristide, and Lieutenant General, Raoul Cédras. Los Angeles Times journalist Stanley Meisler described the talks as "frustrated" and "unprecedented" in his 4 July 1994, piece detailing the events. The Agreement states,

The President of the Republic of Haiti, Jean-Bertrand Aristide, and the Commander-in-Chief of the Armed Forces of Haiti, Lieutenant-General Raoul Cedras, have agreed that the following arrangements should be made in order to resolve the Haitian crisis. Each of them has agreed to take, within the scope

[306] Congressional Research Service, "…Efforts to Restore…," i.
[307] Ibid, 4.
[308] Ibid, 6.

of his powers, all necessary measures for the implementation of these arrangements. Furthermore, they both, in any case, express their support for the implementation of these arrangements and pledge to cooperate in implementing them.[309]

Through ten points, both Haitian parties (Aristide and the military leaders) tried to develop a plan for restoring democracy and stability in Haiti. Firstly, the UN and the OAS were to serve as the guiding entities for "political dialogue" between the two factions of Aristide and Cédras. Aristide was to serve as the President of the Republic of Haiti and through his power nominate a new Prime Minister that would then be voted on by a "legally reconstituted" Parliament.[310] Prior to the meeting, on June 16, 1993, the UN Security Council passed Resolution 841 in support of the OAS' proposed trade embargo to ensure a "comprehensive and peaceful settlement of the crisis in Haiti in accordance with the provisions of the Charter of the United Nations and international law."[311] Article 4 of the Governors Island Agreement affirms that this trade embargo will be lifted once a new Prime Minister, nominated by Aristide and confirmed by the Haitian senate, assumes office. Additionally, points for increased development, judicial reform, "modernizing of the Armed Forces of Haiti," and establishing an entirely new police force were outlined. The Commander-in-Chief of the Armed Forces of Haiti, Raoul Cédras, would step down from his position and Aristide would appoint a new Chief. Lastly, both parties agreed to have Jean Bertrand Aristide be returned to power as the President of the Republic of Haiti on 30 October 1993, under the supervision of the OAS and UN.[312]

In order to ensure provisions set forth in the Governors Island Accord were monitored and implemented, The United Nations Mission In Haiti (UNMIH) was established through Resolution 867 as voted on by the UN Security Council.[313] UNMIH's original mandate was to "assist in modernizing the armed forces of Haiti and establishing a new police force."[314] However, due to increased violence and intimidation by the military government, UNMIH was not able to fulfill its mandate until President Aristide's eventual restoration in October 1994.[315]

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[309] "Governor's Island Agreement." 3 July 1993, 1
[310] Ibid, 1.
[311] United Nations Security Council (UNSC), Res 841 (16 June 1993). UN Doc S/Res/841, 1.
[312] "Governor's Island Agreement." 3 July 1993, 2.
[313] "United Nations Mission in Haiti (UNMIH) - Background (Summary)," United Nations (United Nations), accessed June 27, 2022, https://peacekeeping.un.org/sites/default/files/past/unmihbackgr1.html.
[314] Ibid
[315] Ibid

30 October 30 1993, came and went without the reinstallation of Aristide. Kate Doyle refers to the Governors Island Accord as both "flawed" and "inconclusive" due to its lack of "mechanisms for enforcement, no penalties for noncompliance, and dangerous concessions to Haitian military leaders."[316] As both parties to the agreement remained unaccountable, the UN was able to hold an economic embargo over the heads of Haiti as a whole.

As reported by the Congressional Research Service (CRS), many international advocates of returning President Aristide to power did so on a matter of democratic principle rather than blind support of his policies and human rights record. The CRS states, that "the international community had an obligation to restore a democratically elected head of state, as a matter of principle. Is Aristide was found to be violating the constitution … then the community should encourage Haiti to address the problem through the democratic process – including impeachment if necessary – rather than through a coup."[317]

A ship carrying 200 U.S. and Canadian soldiers set their path on the coast of Port-au-Prince in the USS Harlan County to "restore democracy" as set out in the Governors Island Accord on 12 October 1993 and was met with such extreme backlash within the city they never made it to the docks. Doyle describes the event as a "breathtaking picture of defeat."[318] The CRS cites this event as "destroying U.S. credibility and emboldening the Haitian regime to dig in its heels."[319] The aftermath of a failed peace accord and growing violence (including anti-UN and anti-US demonstrations) motivated the UN to reinstate its trade embargo outlined in UN Security Council Resolution 841 on 18 October 1993, with eleven warships present off the coast by international actors, primarily the United States, to enforce the embargo.[320] In an effort to restore democracy, peace, and stability to the country of Haiti through political and economic pressure on the de facto military government, Erika Harding outlines that "the brunt of the embargo will be borne by the Haitian population."[321]At the time Harding's article was published on 22 October 1993, more than half of the country's workforce was under or unemployed, 850,000 Haitians depended on humanitarian aid agencies for their meals, and export earnings had dropped by over $100 million.[322]In an attempt to squeeze control from the current government leaders, the UN and the United States created a Haitian refugee crisis. However, almost all Haitians seeking refuge would never find it as Harding

[316] Doyle, 55.
[317] Congressional Research Service, "…Efforts to Restore…", 4.
[318] Doyle, 55.
[319] Congressional Research Service, "…Efforts to Restore…", 8.
[320] Erika Harding, "Haiti: Despite Obstacles, U.S. & U.N. Continue to Pursue Compliance with Governors Island Agreement," *Latin American Data Base News & Educational Services* (ISSN: 1060-4189), 22 October 1993, 1.
[321] Ibid, 1.
[322] Ibid, 1.

outlines both the Bush and Clinton administrations upholding "immediate repatriation" policies and insisting that "Haitians had ample opportunity to seek political asylum at US consular offices on the island" (even though these offices had been closed due to "safety concerns").[323]

In October 1993, President Clinton and his administration set forth conditions for the Haitian government to meet before crippling sanctions would be lifted: firstly, Lieutenant General Raoul Cédras needed to retire as the leader of the Armed Forces of Haiti; secondly, there must be an end to political violence and human rights abuses within Haiti, which included Haitian leaders authorizing human rights monitors to safely enter the country once again; and lastly, the "attaches" or an armed civilian police auxiliary force must be disbanded.[324] Increased political and economic pressure was created, but the de facto government would still not concede power.

Madeline Albright, the United States Ambassador to the UN asked for permission from the UN Security Council to expel the military junta by, as Karin von Hippel describes it, "whatever means were necessary."[325] Albright was granted her request as 10 days later the UN Security Council passed Resolution 940 on 31 July 1994, to "reiterate its commitment for the international community to assist and support the economic, social, and institutional development of Haiti"[326] by, authorizing Member States to form a multinational force under unified command and control and, in this framework, to use all necessary means to facilitate the departure from Haiti of the military leadership, consistent with the Governors Island Agreement, the prompt return of the legitimately elected President and the restoration of the legitimate authorities of the Government of Haiti, and to establish and maintain a secure and stable environment that will permit implementation of the Governors Island Agreement, on the understanding that the cost of implementing this temporary operation will be borne by the participating Member States.[327]

With the threat of international military involvement in Haiti, the de facto government imposed "a state of siege and a number of other measures to prevent information about the country's human rights situation, already severely curtailed by the expulsion of MICIVIH, from emerging."[328] Resolution 940 also revised and extended the mandate of the United Nations Mission in Haiti (UNMIH) for six months

[323] Ibid, 2.
[324] Ibid, 2.
[325] Karin von Hippel, "Democratisation as Foreign Policy: The Case of Haiti," *The World Today* 51, no. 1 (1995), 12.
[326] United Nations Security Council (UNSC), Res 940 (31 July 1994). UN Doc S/Res/940, 1
[327] Ibid, 2.
[328] Amnesty International. "Amnesty International Report – 1995." © Amnesty International Publications, 1995, 1.

to "assist the democratic Government of Haiti in fulfilling its responsibilities."[329] When pressure both politically and economically continually failed, the United States made the decision to intervene militarily rather than walking away from the Haiti debacle.

3.4 Operation Uphold Democracy

To keep Aristide out of the country, there was a "marked upsurge in extrajudicial executions and disappearances" reported by Amnesty International against Aristide supporters at the hands of the Haitian military and police forces.[330] Refugees being forcibly returned to Haiti have been covered previously in the chapter. In addition to their forcible return violating international law, asylum seekers were often "subjected to abuses once returned to Haiti, including arbitrary arrest, ill-treatment, and torture."[331] While "lucky" refugees were able to reach other countries in the area (not just the United States), they were subjected to sub-standard holding conditions and/or had their applications for asylum not processed due to international standards.[332] In Amnesty's 1995 Country Report on Haiti, the perpetrators of violence against civilians were named as:

The country's military and police and their paramilitary adjuncts, including the so-called *attachés* (civilian auxiliaries to the police and military), the *chefs de sections* (rural section chiefs who are members of the military), *zenglendos* (armed individuals generally believed to operate under the control of the military) and members of a political party formed in 1993 as the *Front révolutionaire pour l'avancement et le progrès d'Haïti* (FRAPH), Revolutionary Front for the Advancement and Progress of Haiti, renamed in 1994 as the *Front révolutionaire armé du peuple Haïtien*, Haitian People's Revolutionary Armed Front.[333]

It cannot go without note that it was the United States that established FRAPH within Haiti and trained the police during their first invasion in 1914 and during the Duvalier era.

To gain permission from the U.S. Congress to implement a military invasion in Haiti, President Bill Clinton focused on seven points to serve as justification according to Hippel: firstly, Clinton spoke of Haiti as within "the American sphere of influence" and reiterated that the U.S. "has always felt a paternal

[329] United Nations Security Council (UNSC), Res 940, 3.
[330] Amnesty International, "Amnesty Report… 1995," 1.
[331] Ibid, 1.
[332] Ibid, 1.
[333] Ibid, 2.

responsibility for the region.;" secondly, democracy was blatantly denied to a country within our same hemisphere and a military intervention would "help to end human-rights violations that we find intolerable everywhere but unconscionable on our doorstep;" third, the Haitian refugee problem was beginning to get out of hand according to Clinton (however, Cuban refugees were arriving in large numbers to American shores during this time as well but no such threat was projected to the country); fourth, the United States was beginning to be humiliated by the blatant disregard for their political and economic pressure to oust the military junta, specifically, "Haiti needed to be taught the lesson that the United States meant what it said, and respected international agreements (Governors Island) and commitments (UN and OAS resolutions);" fifth, human rights violations were widespread and severe including murder, rape, torture, and trafficking (both human and drug); sixth, President Clinton expressed concern for American citizens that were currently living in Haiti and their continued safety and; lastly, "the situation in Haiti caused 'the total fracturing of the ability of the world community to conduct business in the post-Cold War era."[334]

On 15 September 1994, President Bill Clinton addressed the United States regarding the planned American invasion of Haiti. In this speech he spoke to the reasons for the invasion, "... to stop the brutal atrocities that threaten tens of thousands of Haitians, to secure our borders, and to preserve stability and promote democracy in our hemisphere, and to uphold the reliability of the commitments we make and the commitments others make to us."[335] The next day, the U.S. sent a delegation of diplomats to Haiti, headed up by former President Jimmy Carter, in a last-ditch effort to prevent military action in the country. While Haiti's de facto leaders agreed to step down from power before U.S. troops reached the shores of Haiti, they only did so with the knowledge that the troops were already on their way.[336] With approval from the UN Security Council through Resolution 940, 20,000 American troops were launched to Haiti on 18 September 1994, with the primary goals of returning President Aristide to power and "restoring the democratic process to Haiti."[337]

"Operation Uphold Democracy" was fully under way when the U.S. troops officially touched down on Haitian soil on 19 September 1994.[338] The Congressional Research Service closely links the United States' foreign policy concerns of restoring the democratic process in Haiti to other issues of: "human

[334] Hippel, 13.
[335] Congressional Research Service, "…Efforts to Restore…," 10.
[336] Ibid, 10
[337] Ibid, i.
[338] Ibid, 11.

rights, Haitian migration, socioeconomic conditions, and drug trafficking."[339] Amnesty International in conjunction with other human rights NGOs emphasized the importance of troops "ensuring respect for human rights and basic principles of humanitarian law in the course of any military intervention in Haiti."[340] John Ballard described that American military men had been trained "to meet the most stringent rigors of war" but when they arrived in Haiti for this mission they were not met with full-scale combat.[341] Ballard describes what they encountered in Haiti as "in some ways event more difficult" and they had to act far beyond their militarily trained capabilities as serve as "diplomats, policemen, and in some extreme cases, social workers."[342] Established as a "Multinational Force" (MNF), Haitians were subjected to information detailing the "peacemaking role and pacific intentions" of the MNF to Haiti.[343]But, in an almost mirror image of the United States' invasion of Haiti in 1915, the U.S. military entered the country with one mandate, to restore Aristide's power and re-establish democracy, the mission soon shifted to "bringing the army under control."[344] The mission only shifted after CRS reported that "U.S. forces were criticized for standing by as Haitian policy beat pro-American demonstrators, and for saying U.S. forces had no role in halting Haitian-on-Haitian violence."[345] While the U.S. removed the military regime – Raoul Cédras, Philippe Biamby, and Michel Francois – from power, they also transported them to nearby Panama and the Dominican Republic and "agreed to release the Haitian military leaders' frozen assets, reportedly allowing all three access to millions of dollars accrued during their oppressive tenure."[346]

With restoring democracy and peace to Haiti as its main objectives through Operation Enduring Freedom, the United States developed its own idea of "democracy" for Haiti as Daniele Archibugi explains that "exporting democracy also means compromising it domestically and develops a dangerous schizophrenia between how a state treats its own citizens and how it treats aliens."[347] Regretfully, the U.S. military did not establish proper institutions for the protection of both democracy and human rights. David Beetham explains that it is not just the principle of democracy that is important within a nation when establishing or re-establishing democracy, states must also look at the internal governmental institutions, their success and failures, their efficacy, and their sustainability. Beetham further explains that a large part of human

[339] Ibid, i.
[340] Amnesty International, "Amnesty Report… 1995," 3.
[341] Ballard, 103.
[342] Ibid, 103.
[343] Ibid, 105.
[344] Congressional Research Service, "…Efforts to Restore…," 12.
[345] Ibid, 12.
[346] Congressional Research Service, "…Efforts to Restore…," 12.
[347] Archibugi, 289.

rights within this democratic framework is the "ability of citizens to have a voice in public affairs."[348] This is made possible firstly through "freedoms such as expression and association, without which people's voices cannot be heard or mobilized; second, rights to the capacities and resources needed to exercise these freedoms; third, tights to a voice that is different, and to a respect for that difference."[349] With the threat of widespread political violence, arbitrary arrest and violence at the hands of the government, and non-fair and free elections in Haiti, the Haitian's human right to have a voice in public voice disappeared.

After spending three years in exile outside of the country, President Aristide was successfully returned to Haiti and power on 15 October 1994, to carry out the rest of his term.[350] Only a few months after Aristide's return to power, the United States declared that their military mission has established a "secure and stable environment" and responsibility for rebuilding Haiti was transferred to the UN Mission in Haiti on 31 March 1995.[351] However, Amnesty International publicly expressed their regret that "UN Resolution 940 had contained no provisions for a human rights plan for Haiti" as the United States felt their mission as outlined by UN Resolution 940 was completed after Aristide's return to power.[352] Beetham reinforces this by explaining that "Northern nations" such as the United States should not stop assisting in the democratization process in "Southern states" but should instead acknowledge that "such aid forms a part of a common struggle for democratization, in the North as well as in the South … it's a struggle that does not end simply because the political institutions of democracy happen to be in place."[353] By exiting Haiti before the proper institutions were established and proven stable, the United States relinquished its responsibility to restore proper and functioning democracy to Haiti while also failing to implement proper human rights structures. These two components are still battled in Haiti to the present day.

[348] Beetham, "Linking Democracy…," 355.
[349] Ibid, 355.
[350] Congressional Research Service, "…Efforts to Restore…," 12.
[351] Ibid, 12.
[352] Amnesty International, "Amnesty Report… 1995," 3.
[353] Beetham, "Linking Democracy…," 356.

Chapter 4
Democratization and Human Rights in Haiti, Present Day

Haiti seemingly has moved through history with a revolving door of issues—coup d'états, foreign interference, predatory economic policies, environmental struggles, and more—never fully recovering from the last before a new catastrophe strikes. This chapter analyzes the immediate aftermath of Aristide's re-installation as President of Haiti, the legacy of international aid, specifically by United States' agencies, and current crises which threaten Haiti's stability once again. The chapter culminates in the question, what now? With the United States having renewed its pledge to build democracy within the nation and ensure proper human rights standards, the lingering question remains will something finally change in the nation, or will the cycle repeat itself?

4.1 The Legacy of the Coup: The Return of Aristide + the Lavalas Party

Robert Fatton outlines Aristide's return to power in 1994 through the lens of neoliberalism. While President Aristide rose to power through the lens of Haitian nationalism and exceptionalism, his ousting and brokered return caused Aristide to become as Fatton refers, "a hostage of the conditions the United States imposed on him."[354] In fact, Aristide would not have been able to return to power without the support of the American military, a war machine which Aristide, prior to his exile, adamantly condemned.[355] With Haiti slipping further into chaos, its reliance on outside forces—specifically the United States, UN, OAS, and financial institutions—ensured its continued dependence on outside influence and aid. The American military occupation of Haiti deepened the cracks in Haiti's nationalist and exceptionalism philosophies. A new era of colonialism had begun in Haiti, one in the modern, neoliberal world. Fatton describes this neocolonialism with Haiti as an "outer periphery: a territory under the virtual trusteeship of imperial powers and their multinational institutions as well as their nongovernmental organizations."[356] Against the backdrop of continued instability, Haitians looked for

[354] Robert Fatton, *The Guise of Exceptionalism: Unmasking the National Narratives of Haiti and the United States* (New Jersey: Rutgers University Press, 2021), 85.
[355] Robert Fatton Jr., *Haiti's Predatory Republic: The Unending Transition to Democracy* (London: Lynne Rienner Publishers, 2002), 107.
[356] Fatton, 87.

an exit from the cycles of poverty, violence, and general unrest. These immigration patterns, specifically to the United States, continue today.

Under the guidance of President Clinton, the United States military withdrew in 1995 and ceded power to the UN and OAS missions, specifically the United Nations Mission in Haiti (UNMIH) and the International Civilian Mission in Haiti (MICIVIH). Haiti was left to rebuild itself from years of crippling economic sanctions and a short, but impactful, military campaign. The UNMIH operated with around 6,000 troops and 900 Haitian police officers and were according to the U.S. Department of State's Country Report on Haiti, "responsible for assisting the government to maintain a secure and stable environment."[357] The U.S.'s presence in Haiti is what strengthened the Lavalas political party, the party of President Aristide, however, the American intervention also "diluted completely its social-democratic economic platform" according to Robert Fatton.[358] Elections were held in the summer of 1995 and the Lavalas party won substantial seats in the Haitian Parliament as according to the 1987 constitution, Aristide was unable to seek re-election.[359] While Aristide himself was not able to take control in the elections, René Préval, a member of Aristide's party did. After suffering a blow to their political credibility from Aristide's removal from power and return by American military forces, Fatton explains that both Aristide and Préval "put off hard decisions" due to fear of "social and political consequences" by civilians and opponents.[360] The Lavalas party, particularly Aristide, was supported by the poor Haitian masses, but years of oppression and increased poverty left his former supporters "overburdened, exhausted, and disenchanted … increasingly cynical about the future and Lavalas itself."[361] Despite the distrust by civilians and lack of resources in the government, "President Aristide and his Government began the task of rebuilding the justice system" in 1995.[362]

In what seemed like an upward trend in human rights protection and justice in 1995, the Haitian government provided resources and offices for Haitian victims to detail human rights violations and receive reparations. The U.S. Department of State went as far as to say that "Haiti's human rights climate improved dramatically" during this time, particularly in contrast with the Duvalier dynasty and military regime from 1991-1995, while noting that "abuses still occur occasionally."[363] At the same time, prison

[357] United States Department of State, *U.S. Department of State Country Report on Human Rights Practices 1995 - Haiti*, 30 January 1996, available at: https://www.refworld.org/docid/3ae6aa350.html [accessed 1 July 2022], 1.
[358] Fatton Jr., 108.
[359] Amnesty International. "Amnesty International Report – 1996." © Amnesty International Publications, 1996, 166.
[360] Fatton Jr., 109.
[361] Fatton, 110.
[362] US Dept. of State Report 1995, 1.
[363] Ibid, 2.

conditions were seemingly improving, but Haiti lacked the resources to properly handle all of the reports and necessary investigations resulting in "several dozen lynchings … when crowds, apparently frustrated by the failure of the authorities to deal adequately with crime, took the law into their own hands."[364] Haitian civilians, constantly disappointed by a lack of progress by the Haitian government and judicial system, sought to achieve their own standards, a dangerous precedent that easily devolved into further chaos within the country. In a report by the U.S. Department of State, Haiti was defined as "extremely poor" with "two-thirds of the workforce employed in the agricultural sector, most in subsistence production."[365] Rising out of poverty was seemingly impossible as most of the country's wealth was situated in the hands of the one percent, the "tiny, traditional elite."[366]

American news outlets were keen to report on conditions in Haiti up until 1995 when the topic seemingly disappeared from front-page news and was downgraded to a topic that only those interested in pursuing would come across. While Haiti was kept out of mainstream news, the United States was still a major economic and trade partner with the country, albeit a predatory one. Henry Carey reported in 2002 that Haiti relies on importing 50-75% of its rice from the United States, even though prior to 1994, Haiti grew 70-90% of its own crop of rice.[367] This neoliberal trade agreement can be traced back to both the World Bank and IMF and their "structural adjustment policies" which as Carey explains barred Haiti from "protecting or subsidizing her farmers."[368]

With 1995 serving as a time of optimism, maybe even a turning point for human rights reform in Haiti, conditions began to deteriorate in 1996 and continued to fail. The Lavalas Government itself generally respected human rights standards, however, the U.S. Department of State reported that "a significant number of serious abuses occurred, and cases of abuse remained steady in frequency and severity during the course of the year."[369] The UNMIH was renamed the UN Support Mission in Haiti (UNSMIH), and the OAS-sponsored MICIVIH had its mandates extended to 1997 due to continuing critical conditions.[370] With a destabilized national army and a newly developed police force, local Haitian mayors developed their own "quasi-official forces to serve as municipal police" to ensure safety and stability, however,

[364] United States Department of State, *U.S. Department of State Country Report on Human Rights Practices 1996 - Haiti*, 30 January 1997, available at: https://www.refworld.org/docid/3ae6aa2438.html [accessed 1 July 2022], 168.
[365] US Dept. of State Report 1995, 2.
[366] Ibid, 2.
[367] Henry F. "Chip" Carey, "U.S. Policy in Haiti: The Failure to Help Despite the Rhetoric to Please," *Journal of Haitian Studies* 8, no. 2 (2002), 87.
[368] Ibid, 87.
[369] US Dept. of State Report 1996, 2.
[370] Amnesty International. "Amnesty International Report – 1997." © Amnesty International Publications, 1997, 170.

many were accused of gross human rights violations.[371] The *Commission nationale de verité et de* justice, National Commission of Truth and Justice's work culminated with a report published in September 1996 which "documented abuses allegedly perpetrated by military and paramilitary personnel against 8,650 people, including 333 cases of "disappearance," 576 cases of extrajudicial execution, 439 cases of attempted extrajudicial execution and 83 cases of rape."[372] While this report served as a big step forward for human rights in Haiti, no concrete steps were taken or planned to implement the recommendations for improvement, and arbitrary arrests were on the rise. The pattern of perceived progress with no actionable plan was perpetuated. MICIVIH published a similar report in 1996 which outlined the pitfalls of the Haitian government and judicial system such as "lack of resources and trained personnel" in addition to "fear of reprisal and lack of coordination" which caused discrepancies in justice and proper governance.[373]

While the United States, OAS, and UN sought to restore democratic processes to the Republic of Haiti, common Haitians were no longer interested or as Fatton describes, "mesmerized" by the "appeals of democracy."[374] Discontent was spreading, fast. President Préval, the buffer between Aristide's two presidential terms, was falling from favor, and the Lavalas party along with him. Aristide returned to power in the 2000 election with an overwhelming 92% of the vote, an election not considered free and fair.[375] With a lack of infrastructure, stable leaders, and funds, Haiti's path to democracy remained grim. Fatton emphasized that "in the absence of advanced forces of production, a democracy, however hegemonic and popular its idea may be, is condemned to manifold distortions and regressions."[376] Common Haitians were forced further into poverty as the top one percent of Haitians enjoyed a "zero-sum game in which wealth is acquired almost exclusively through the monopolization of state power and resources."[377] The United States also welcomed a presidential election in 2000 and saw the appointment of George W. Bush to the role. With billions of dollars lost to failed democratization efforts and aid to Haiti, Carey explains the new Bush administration's hesitancy to get involved, calling it a "Clinton-era interventional best forgotten."[378] Despite Clinton viewing increased Haitian migration to the U.S. shores as a cause for concern and intervention, Bush's machine seemingly "tolerated" such events. Henry Carey

[371] US Dept. of State Report 1996, 1.
[372] Amnesty International, "Amnesty Report… 1997," 171.
[373] Ibid, 171.
[374] Fatton Jr., 110.
[375] Ibid, 110.
[376] Ibid, 111.
[377] Ibid, 112.
[378] Carey, "U.S. Policy in Haiti…", 87

explains the shift in mentality by the United States towards Haiti from the viewpoint of colonizer and colonized countries. Carey purports that European colonizers "take a sympathetic view towards their former colonies" while the United States relies on "subconscious images of inferiority and negative possibilities that pervades its decision making."[379] The United States is accused by Carey of operating its Haitian foreign policy under "eschewed explicit racism" by withholding aid and resisting interference in situations that warranted a direct response in other countries. For example, election fraud in Haiti resulted in withheld economic aid, while elections in Peru at the same time (2000) suffered the safe fate in its elections and suffered no economic repercussions.[380]

The events of 11 September 2001 completely changed the foreign policy initiatives and interests of the United States. With the declaration of the so-called "War on Terror," democratization and stability efforts in Haiti dwindled in importance and relevance for the United States, and their sights were set on the Middle East, specifically Afghanistan and Iraq. The fact that the United States never was successful in its democratization efforts in Haiti should not be forgotten either. After spending over $3 billion dollars on "rebuilding" Haiti, there was nothing to show for it. The United States continues to send aid to Haiti, however, it is often funneled through NGOs such as the United States Agency for International Development (USAID). Despite the international funding constantly being sent to Haiti, there are two main lingering questions. First, why does Haiti continue to remain so poor and dysfunctional? Second, how has the United States impacted Haiti's failures? Alex Dupuy expresses the view that it is neoliberal policies and what he refers to as the 'new world order doctrine' to blame for their failures. Robert Fatton attributes Haiti's failures to the 'predatory state' idea that democracy becomes predatory when there is no balance between the ruling classes (bourgeoise in this case) and the working class (general public of Haiti). One main reason for Haiti's democratic failures stems from its reliance on outside economic sources which Carey outlines as "foreign aid, drug trafficking and remittances from overseas Haitians."[381] In a study done by the Multilateral Investment Fund in 2001, it was reported that over half of the Haitian population depends "directly or indirectly from remittances worth an estimated US$700 million a year."[382] Henry Carey largely attributes Haiti's continuous failures to poverty. Poverty stems

[379] Ibid, 87.
[380] Carey, "U.S. Policy in Haiti…," 88.
[381] Ibid, 91.
[382] Ibid, 91.

directly from their revolution-based independence in 1804 and the predatory financial policies of the French and eventually the United States.[383]

4.2 A Look into Aid to Haiti: The United States Agency for International Development (USAID)

Ira Kurzban, an American civil rights and migration lawyer, published a piece in 2002 which analyzes the perceived American failures at establishing democracy and human rights stability within Haiti despite billions of U.S. dollars in aid, and the role of the media in not only perpetuating this narrative but causing aspects of the failure. Kurzban outlines that the public perception, in the United States, is that $2 billion have been sent to Haiti to make it "a democratic country with a viable economy."[384] However, this failure does not fall on the United States, it is implicates Haiti as the cause of its own disasters due to its constant cycles of "economic calamity, ecological disaster, political paralysis, and national doom, combined with the specter of a refugee flotilla headed for Florida."[385] I echo Kurzban's assertion that it was not Haiti that has failed the United States through its failure to achieve democracy and stability despite large sums of aid, instead, it was the United States which has failed Haiti.

The United States Agency for International Development (USAID) was created against the "chaos" of the 1960s. At the height of the Cold War, the United States was watching the collapse of colonialism around the world and saw a competition of influence, specifically with the Soviet Union.[386] While offering foreign assistance was not new to the United States, the events of World War II weakened many powerful nations and the United States saw an opportunity to "shape multilateral institutions and instruments in a remarkably visionary way" through the creation of modern-day institutions such as the UN, World Bank, and the International Monetary Fund (IMF).[387] President Truman unveiled the Marshall Plan and America's pledge to "revive the economies of competitors following the war," (WWII).[388] American leaders continued to set economic growth across the "free world" as a primary foreign policy consideration. In 1961, George Ball, an American diplomat under President Kennedy, delivered a memo

[383] Ibid, 97
[384] Ira Kurzban, "A Rational Foreign Policy Toward Haiti and How the Media Shapes Public Perception of Haiti.," *University of Miami Law Review* 56, no. 2 (2002), 405.
[385] Ibid, 405.
[386] John Norris, *The Enduring Struggle: The History of the U.S. Agency for International Development and America's Uneasy Transformation of the World*. Maryland: Rowman & Littlefield, 2021, 17.
[387] Ibid, 20.
[388] Ibid, 21.

outlining a new "field-driven" aid agency.[389] Upon presenting the new foreign aid plan to Congress, John Norris remarks that the "Decade of Development" began for the United States.[390] On 4 September 1961, the Foreign Assistance Act of 1961 was passed by the Senate and House of Representatives of the United States.[391] The 1961 Act outlined five principal goals:

(1) The alleviation of the worst physical manifestations of poverty among the world's poor majority;

(2) The promotion of conditions enabling developing countries to achieve self-sustaining economic growth with equitable distribution of benefits;

(3) The encouragement of development processes in which individual civil and economic rights are respected and enhanced;

(4) The integration of the developing countries into an open and equitable international economic system; and

(5) The promotion of good governance through combating corruption and improving transparency and accountability.[392]

It was through the passing of this Act that the modern-day agency, USAID was created by executive order. The USAID website emphasizes the agency's commitment to promoting democracy around the world and providing the necessary support for "partners" to lead their own "development journeys."[393] Now entering into its 60th year of operation, USAID outlines its current objectives as: "reducing the reach of conflict, preventing the spread of pandemic disease, and counteracting the drivers violence, instability, transnational crime and other security threats" while also promoting "American prosperity through investments that expand markets for U.S. exports; create a level playing field for U.S. businesses; and support more stable, resilient, and democratic societies."[394]

USAID has been staunchly criticized by professionals familiar with Haiti due to its ineffective politics for enacting lasting change and stability. Kurzban echoes this emphasizing that it is not just that American aid to Haiti has little impact it is that "the aid programs themselves are generally designed to have little

[389] Ibid, 29-30.
[390] Ibid, 32.
[391] United States Congress, "Foreign Assistance Act of 1961" (PL 87-195), 4 September 1961, 1.
[392] Ibid, 1-2.
[393] "Mission, Vision and Values," U.S. Agency for International Development, February 16, 2018, https://www.usaid.gov/who-we-are/mission-vision-values.
[394] "USAID History," U.S. Agency for International Development, November 12, 2021, https://www.usaid.gov/who-we-are/usaid-history, 3.

impact on the vast majority of Haitians, who are without basic care, living in rural areas, and are engaged in agrarian pursuits."[395] In line with its stated mission and vision, USAID focuses its aid on bolstering U.S. interests. While democracy lies at the center of its objectives, its ultimate implementation will take careful planning and execution, in addition to money. Kurzban harshly criticizes the motives of the United States in Haiti as curbing both refugees and drugs from reaching its shores. Instead, a long-term plan focused on bolstering the poor masses of Haiti and developing a form of democratic government which works for their needs and structure.

Constant disaster creates a complex relationship between Haitian leaders and international aid organizations, including USAID. Robert Muggah outlines this by explaining that when disaster strikes, specifically the 2010 earthquake, strikes Haiti, donors are forced to reckon with widespread issues—such as migration, drug trafficking, gangs and arms dealing, and other human rights abuses—before they are able to direct their funds to solve the damage caused by the earthquake.[396] This revolving door has convinced donors, according to Muggah, "that there is a high probability that external events—from the global financial crisis (and attendant escalation in food prices) to massive hurricanes, storms or natural disasters—and systemic domestic vulnerabilities will ensure that Haiti is trapped in a chronic humanitarian crisis for the foreseeable future.[397]

As has been stated previously in this paper, Haiti has a way of explaining the present and future through recollections of the past. It is for this reason that the United States continues to struggle with international aid and democracy promotion in Haiti.

4.3 The Present Reflecting the Past

Journalists have covered the multitude of present-day crises in Haiti ranging from natural disasters such as earthquakes and hurricanes to continued political instability in assassinations and coup d'états. With each passing crisis, Haiti devolves further into cycles of corruption, instability, and poverty. Man-made and natural disasters now go together within the Caribbean nation. While Haiti cannot change its geographical location atop a fault line and in a part of the ocean prone to (powerful) storms, deforestation for economic and agricultural means has left large parts of the country more susceptible to flooding and

[395] Kurzban, 407.
[396] Robert Muggah, "The effects of stabilization on humanitarian action in Haiti," *Overseas Development Institute* 2010, S445.
[397] Ibid, S446.

mudslides.[398] In a piece published by the Council on Foreign Relations, Rocio Cara Labrador and Diana Roy outline the last 10 years of natural disasters in Haiti:

A massive earthquake near the capital in 2010 killed 220,000 Haitians and displaces 1.5 million more. At $8 billion, basic reconstruction costs surpassed the country's annual GDP. Between 2015 and 2017, drought led to crop losses of 70 percent, and in 2016, Hurricane Matthew decimated the country's housing, livestock, and infrastructure. Haiti was then struck by back-to-back disasters in August 2021, when a magnitude 7.2 earthquake rocked the southern peninsula, destroying 30 percent of local homes, killing over 2,000 people, and displacing tens of thousands more. Days later, Tropical Storm Grace exacerbated the destruction, dumping heavy rains and triggering flash flooding and landslides.[399]

Not to mention, the onslaught of the Covid-19 pandemic in 2020 in addition to Haiti's struggles with dengue fever, malaria, and cholera, Haiti relies on humanitarian aid to simply exist, but this aid is chronically mismanaged by nongovernmental organizations (NGOs).[400] The largest agency distributing aid within Haiti, the U.S. Agency for International Development (USAID), has contributed an estimated $5 billion to Haiti since the 2010 earthquake.[401]

Chris Cameron, a New York Times journalist published a piece in 2021 titled "As U.S. Navigates Crisis in Haiti, a Bloody History Looms Large" in which he explains that the "cycle of crisis and U.S. intervention in Haiti – punctuated by periods of relative calm but little improvement in the lives of most people – has persisted to this day."[402] American political figures present during past crisis timelines, such as current President Joe Biden, are faced with present-day issues stemming from the past. President Biden, then a Senator from Delaware, spoke out in 1994 against Clinton's invasion of Haiti on the basis that the U.S. "had more pressing crises … and that Haiti was not especially important to American interests."[403] Flash forward almost twenty years and President Biden is facing another Haitian crisis with the assassination of Haitian President Jovenel Moïse during the early morning hours of 7 July 2021 in his presidential home in Port-au-Prince by a "group of assailants."[404] Catherine Porter, a reporter for the New York Times described the assassination as leaving "a political void that deepened the turmoil and

[398] Rocio Cara Labrador and Diana Roy, "Haiti's Troubled Path to Development," *Council on Foreign Relations*. 17 September 2021, 6.
[399] Ibid, 6.
[400] Ibid, 6.
[401] Ibid, 6.
[402] Cameron, 1.
[403] Ibid, 1.
[404] Michael Crowley and Catherine Porter and Constant Méheut, "Haiti's President Assassinated in Nighttime Raid, Shaking a Fragile Nation," *The New York Times* (New York, NY) 18 October 2021, 1.

violence that has gripped Haiti for months, threatening to tip one of the world's most troubled nations further into lawlessness."[405]

After Moïse's death, Claude Joseph was established as the interim prime minister and "declared a state of siege" operating under martial law. Martial Law involves the "temporary substitution of military authority for civilian rule and is usually invoked in time of war, rebellion, or natural disaster."[406] Haiti struggled with a record of political violence and lawlessness up until this point, the murder of President Moïse as (NYT) journalist Catherine Porter states, "left a political void that deepened the turmoil and violence that has gripped Haiti for months, threatening to tip one of the world's most troubled nations further into lawlessness."[407] To exacerbate the current conditions in 2021, a large earthquake rocked the country in August resulting in an estimated 800,000 civilians in need of direct assistance.[408] As a direct response, the United States State Department marked Haiti as a 'Level 4: Do Not Travel' country (level 4 is the highest level of risk) due to "the risks of traveling to, and remaining in, Haiti in light of the current security situation and infrastructure challenges."[409] Amnesty International detailed further the U.S. State Department's perceived risks to visitors due to "kidnapping, crime, civil unrest, and COVID-19."[410] Deleterious conditions in Haiti, increased due to Moïse's assassination and recent earthquake, pressed tens of thousands of Haitian migrants to resort to undertaking treacherous migration routes in search of safety in the United States and Mexico.[411] However, Haitian migrants were met with mass detention or a forced return to Haiti.[412] Amnesty International detailed these conditions in their 2021-2022 Annual Report. Conditions included "US border authorities on horseback abusing and taunting Haitians" and in the span of two months from September to November 2021, almost 9,000 migrants and asylum seekers were forcibly returned by U.S. agents to Haiti "largely without providing access to the US asylum system or protection screenings, exacerbating the crisis."[413]

Presently, the human rights of Haitians stand in peril both at home and abroad. Amnesty International has reported, that although there has been international collaboration through the 'Inter-American Commission on Human Rights' to address and improve human rights conditions in Haiti and Haitian

[405] Porter, 1.
[406] E W Killam, "Martial Law in Times of Civil Disorder," *Law and Order* 37, no. 9 (1989), 44.
[407] Crowley et al, 1.
[408] Amnesty International. "Amnesty International Report – 2021." © Amnesty International Publications, 2021, 185.
[409] https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories/haiti-travel-advisory.html
[410] Amnesty International, "Amnesty Report… 2021," 185.
[411] Ibid, 186.
[412] Ibid, 186.
[413] Ibid, 186.

migrants, little to no progress has been achieved. Amnesty outlined the main human rights abuses both in Haiti and in host countries: "detention and unlawful pushbacks, extortion, anti-Black racism, gender-based violence by armed groups, and destitution."[414] To close their 2021-2021 Annual Report, Amnesty International explained that Haitians live with "restricted access to protection measures including asylum and nowhere safe to go."[415]

4.4 2022 and Beyond

The United States pulled its support both literally and figuratively with the withdrawal of American troops in 1995. However, the United States still maintains an interest in a direct relationship with Haiti, albeit in the shadows. The last three American presidential terms have created a seesaw effect of support. President Obama's administration from 2008 to 2016 focused their support on security and economic policy, specifically strengthening the Haitian police force (which as we know has a legacy of human rights abuses) while also attempting to improve health and education outcomes.[416] When President Donald Trump took office in 2016, his administration cut all USAID foreign aid by 18 percent and implemented strict migration policies which further barred Haitians from seeking asylum status in the United States.[417] January 2021 marked the beginning of President Joe Biden's presidential term, and his administration has seemingly reaffirmed its commitment to foreign aid, specifically to Haiti, however, migration policies have not yet been revised.[418]

In a 2022 U.S. State Department Fact Sheet detailing 'U.S. Relations with Haiti,' the bureau outlines its stance towards foreign assistance and relations with Haiti, "When Haiti is more prosperous, secure, and firmly rooted in democracy, Haitians and Americans benefit. U.S. policy toward this close neighbor is designed to foster the institutions and infrastructure necessary to achieve strong democratic foundations and meaningful poverty reduction through sustainable development."[419] The U.S continues to be the largest donor of aid to Haiti, and while humanitarian aid is able to alleviate some of the challenges the country faces, the 2022 Fact Sheet emphasizes the struggles the country will face for years to come:

[414] Ibid, 186.
[415] Ibid, 186.
[416] Labrador and Roy, 7.
[417] Labrador and Roy, 8.
[418] Ibid, 9.
[419] U.S. Department of State, "U.S. Relations with Haiti - United States Department of State," (U.S. Department of State, January 3, 2022), https://www.state.gov/u-s-relations-with-haiti/, 1.

Intensified gang violence and recurring political and civil unrest since July 2018 have severely exacerbated Haiti's dire economic and humanitarian conditions: unemployment and inflation are high; the national currency is volatile; fuel shortages are recurring and severe; foreign reserves are dangerously low; about 60 percent of the population lives below the poverty line, and more than one-third face crisis- or emergency level food insecurity.[420]

These 'dire' conditions have consistently forced Haitians to make the seemingly impossible decision to face treacherous migration corridors, the United States has thus taken a policy that "strongly discourages" Haitians from "undertaking dangerous journeys, both by land and sea."[421] Severe earthquakes in 2010 and 2021 have exacerbated these conditions.

'Bilateral Economic Relations' between Haiti and the United States continue to focus on "foreign investment and developing private-led, market-based economic growth."[422] However, with the costs associated with starting and maintaining a new business in Haiti being quite high, established foreign companies and investors have the upper hand. The main sectors that U.S. firms operate in are: "commercial banks, airlines, oil, and agribusiness companies, and U.S.-owned assembly plants."[423] With the wealth concentrated in the hands of the Haitian elites and foreign actors, the U.S. State Department reported in 2022 that "three-quarters of the population lives on approximately $2.41 per day; the poorest live in extreme poverty, surviving on only $1.23 per day."[424]

The question that remains is, where do we go from here? On 20 December 2019, U.S. President Donald Trump signed The Global Fragility Act (GFA) into law. The GFA is a policy to "stabilize conflict-affected areas and prevent violence and fragility globally."[425] In April 2022 under President Biden, the United States reaffirmed its commitment, against the backdrop of the February 2022 Russian invasion of Ukraine. The United States Institute of Peace released an analysis of Biden's new GFA-related policy which serves as an, "unprecedented and promising commitment at the highest levels of our government to apply the important lessons learned from decades of U.S. involvement in conflicts in Afghanistan, Iraq, and elsewhere."[426] This new policy is described as "ambitious" and will require large levels of

[420] Ibid, 2.
[421] Ibid, 3.
[422] Ibid, 6.
[423] Ibid, 6.
[424] Ibid, 7.
[425] Alliance for Peacebuilding, "Global Fragility Act,", accessed 3 July 2022, https://www.allianceforpeacebuilding.org/globalfragilityact.
[426] Susanna Campbell and Corinne Graff, "Implementing the Global Fragility Act: What Comes Next?," *United States Institute of Peace* 7 April 2022, 1.

investment both economically, programmatically, and diplomatically on behalf of the United States. Against the backdrop of a legacy of imposed forms of governance and human rights standards with little success, a cautiously optimistic mindset must be held towards this new U.S. policy. The U.S. Institute of Peace echoes this sentiment by explaining in their analysis that "concrete results on the ground will be challenging" due to a multitude of factors, however, the main responsibility for success will hinge on "the actions of U.S. ambassadors, USAID mission directors and their teams on the ground, who are required under the GFA to lay out a 10-year vision for supporting partner efforts to promote stability."[427] Based on "findings and experience" the U.S. Institute of Peace has outlined the specific actions that will (hopefully) increase the success of GFA: first, "think and work politically;" second, "integrate diplomacy and assistance;" third, "establish flexible contracts based on inclusive partnerships;" and fourth, "an opportunity to innovate, contingent on adequate staffing."[428]

Part of President Biden's new initiative was establishing "priority contexts for implementation which includes Haiti, Libya, Mozambique, Papua New Guinea, and Coastal West Africa (Benin, Côte d'Ivoire, Ghana, Guinea, and Togo)."[429] Keith Mines strives to answer the question of "Why Haiti?" by outlining that previous failures in a continued conflict in Haiti are the direct result of a lack of long-term solutions and botched democratization and humanitarian efforts (largely at the hands of the United States). While Mines is careful to emphasize that the GFA does not provide answers to Haiti's centuries-long instability, he does explain that "for the first time the United States may at least be asking the right questions."[430] GFA will only find success in Haiti if the project operates at a macro and micro level, encompassing all levels of Haitian civil and political society in what Mines refers to as a "national vision."[431] The United States is now tasked with looking for long-term solutions in Haiti, building lasting institutions and infrastructure to ensure stability. President Biden is quoted as saying the change inflicted by the new GFA policy will be "measured not in days and weeks, but in years and generations."[432] In addition to taking the long-term perspective, direct work and collaboration with Haitian political leaders and civil society will be imperative to create lasting change. Mines emphasizes that with the addition of civil

[427] Ibid, 3.
[428] Ibid, 4-7.
[429] Alliance for Peacebuilding, "Global Fragility Act."
[430] Campbell and Graff, 2.
[431] Ibid, 2.
[432] Ibid, 3.

society in this initiative, “it has a much better chance of success than previous short-term efforts driven by a U.N. mandate and electoral calendar.”[433]

Now Haitians and the international community alike have to wait to see what comes of the new initiatives for rebuilding democracy and stability within the country.

[433] Ibid, 4.

Conclusion

While international recognition of and attention to the human rights standards and democratic conditions in Haiti may ebb and flow over time, the importance of studying past intervention methods and the results is invaluable to developing a stable plan to pull Haiti out of poverty, chaos, and *mize*.

A legacy of the United States acting on its own interests under the guise of democracy promotion in Haiti has caused two separate military interventions, billions of dollars in underutilized aid, and no democratic structure to show for it. When the Republic of Haiti claimed independence from France in 1804 as the first successful slave revolt in history, I don't think anyone could have pictured that in 2022 the same nation would rank towards the bottom of almost all indicators of a stable and democratic nation. Just as Haiti was seeking to build itself up based on unique ideals, the French prevented any progress due to crippling economic ransom payments in exchange for recognition of Haiti's independence. Transferring from one colonizer to the next, the United States expanded its sphere of influence to Haiti and began to impose its own democratic ideals on the nation.

The legacy of American intervention in Haiti goes as far back as the 18th century and extends to the modern-day with seemingly insurmountable challenges. The democratic institutions that the United States vowed to be implementing subsequently devolved into corruption, violence, and authoritarianism. A foreign policy strategy that centered around the promotion of democracy in Haiti and thus the protection and recognition of human rights, devolved into a neoliberal strategy for the sole benefit of American interests.

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