

HAITI

With not a single elected leader left, Haiti is becoming a textbook case of a ‘failed state’

BY JACQUELINE CHARLES

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For years, Haiti has suffered from a disastrous economy, a struggling police force and a practically invisible government. After midnight Monday, there will also be no semblance left of a constitutional order. One of the last remaining provisions of the country’s constitution that was still in existence, even if barely, is set to end at midnight with the expiration of the terms of the country’s last remaining 10 senators. The exit of the final tier of the 30-seat Senate will leave Haiti with no Parliament since the country failed to hold timely legislative elections in October 2019.

Now, for the first time since the adoption of the 1987 Constitution, which told Haitians how their country was going to exist as a nation after the fall of the nearly 30-year father-son Duvalier dictatorship, there are few constitutional entities in existence beyond the struggling, ill-equipped Haiti National Police, a reconstituted army and the court of auditors and administrative disputes whose members’ 10-year mandates are also nearing expiration. There is no functioning electoral commission; no functioning Supreme Court, no constitutional court. There is not a single elected official in the entire country of nearly 12 million people — not a council member, not a mayor and certainly not a president.

This leaves just Ariel Henry as prime minister. The 73-year-old neurosurgeon, who was never ratified by law, became the country’s interim leader when Jovenel Moïse, the last elected president, tapped him to carry out day-to-day operations as head of the government shortly before his assassination on July 7, 2021. Haiti, has for all practical purposes, become a failed state, experts say — and all under the eye of the international community. “It is evident there is a Potemkin Village, which barely controls what’s outside the doors of the National Palace,” said Georges Fauriol, a Haiti expert at the Center for Strategic and International Studies in Washington, D.C.

The reality for most Haitians, Fauriol said, is that, “what you see when you walk out of your house or your apartment, is not the Haitian government. It’s some other force. And that’s who you have to deal with on a daily basis.”

Even with all the working arrangements currently in place to give the facade of a functioning nation, the reality is hard to ignore. The country is being dominated by violent kidnapping gangs that the United Nations says control nearly two-thirds of the capital. The gangs' turf battles and escalating sexual attacks have caused more than 100,000 people to flee their homes and resulted in another 20,000 Haitians facing what the U.N.'s humanitarian chief in Port-au-Prince, Ulrika Richardson, says are "catastrophic famine-like conditions" amid an ongoing cholera outbreak.

"You see these reports of the Haitian national police having killed this person, arrested that person. But as a practical reality, the power relationship between the government, the central government, the Haitian government, and gangs, networks of drug dealers, assorted other characters — the government is on the losing end of that," Fauriol said. "So that's a failed state."

Observers say that in the absence of any legitimate institution, the political vacuum that rattled the nation 18 months ago with the killing of Moïse will trigger an even deeper crisis.

'THE MOST DIRE IT HAS EVER BEEN'

Ever since the fall of the brutal Duvalier dictatorship 37 years ago, Haiti has seen various worrisome flash points in its troubled road to democracy and political stability. There have been military coups, bloodied and fraudulent elections, predatory, self-serving governments, deadly disasters and high-profile assassinations.

But never has the reality been this dire or the prognosis so grim, observers say.

The country faces the total collapse of its security and economy. Killings and rapes are on the rise, with the number of reported kidnappings last year, more than 1,200 cases, double the number of the previous year, according to the U.N.

Meanwhile, a record 4.7 million Haitians do not have enough to eat. If there is a silver lining, it has been the imposition of economic sanctions by Canada and the United States against prominent Haitians believed to be behind the gang warfare. Though criticized by those targeted, they have been welcomed by many Haitians desperate for a respite.

Still, the challenges remain, especially for the beleaguered Haiti National Police. Funded by the U.S. and others in the international community, the force has seen attrition lower its number of active-duty officers to fewer than 9,000, according to statistics provided last month to the U.N. Security Council.

"Yes, some effective operations against the gangs in Port-au-Prince have been mounted, but holding these security gains continues to be a challenge," said Helen La Lime, the head of the U.N. Integrated Office in Port-au-Prince.

“The [police] needs assistance in the form of a specialized force,” she added, referring to a request by U.N. Secretary General António Guterres in October for international troops to come to the aid of Haiti’s government.

Michael Posner, a former Obama administration official who has been critical of the U.S. immigration policy of quickly expelling Haitian migrants who arrive at the U.S.-Mexico border, said given the dire reality, no one should be surprised by Haitians’ increasingly desperate attempts to flee to the United States.

“It’s a country that has had crisis after crisis. It’s now, I think, the most dire it’s ever been in the last 50 years,” he said. “It’s an extremely insecure place right now: politically unstable, economically unstable. Daily security is a massive problem.”

Posner, who is director of the New York University Stern Center for Business and Human Rights, said Haiti is not solely to blame for its current state.

“For generations, we have not done what needed to be done to build a strong democratic base to help support a strong democratic order and now order’s breaking down,” he said.

ELECTIONS COMING?

In a speech marking Haiti’s 219th anniversary of independence from France on New Year’s Day, Henry declared this will be the year he launches an electoral process. He promised the restoration of the Supreme Court with a sufficient number of judges, and the establishment of a nine-member Provisional Electoral Council to propose “a reasonable timetable” for organizing elections.

He also touted a new political agreement to guide the government in the absence of any legitimate institutions and the endless cycle of crises. Known as the December 21 Accord, the decree seeks a national compromise over the transition through the establishment of two new entities: a High Council of the Transition and a Body of Oversight of Government Action. Their purpose is to oversee the government during the transition and prepare a road map for organizing “transparent and uncontested elections.”

Assistant U.S. Secretary of State Brian Nichols said in a tweet that he was “encouraged by the Dec. 21 political accord bringing together Haitians of various sectors to address the political crisis.” But he added he wants to see broader consensus and greater flexibility among leaders.

Some prominent politicians have refused to sign the accord, saying the transition council lacks any real power and is nothing more than an advisory board to shore up Henry’s tenuous rule. The disagreement has raised questions and doubts about the agreement’s viability.

Henry has managed to convince only three people to sit on the five-member transition council: former presidential candidate and constitutional law expert Mirlande Manigat, Chamber of Commerce head Laurent Saint-Cyr, and Pastor Calixte Fleuridor of the Federation of Haiti.

Members of the civil society-backed coalition known as the Montana Accord called the December 21 Accord an election ploy and criticized those who signed it, accusing them of endorsing “the catastrophic results” of Henry’s leadership and that of his entire government. The new Henry accord, they said in a statement, is not the consensus Haiti needs so it can begin “the process that will put an end to its ‘unspeakable suffering.’”

“Fauriol said it would be “politically suicidal” for Haiti to rush toward elections this year, given all of the problems the country faces, including the inability of its warring political factions to come together around a broad-based agreement. “The only people who could participate in [an electoral] process under present circumstances are likely to be people who have a résumé that is not likely to be particularly promising or positive,” he said.

Instead, some foreign diplomats believe now would be an ideal moment for Haiti to put together a constituent assembly to rewrite its constitution. The aim would be to break the cycle of political transitions the crisis-wracked nation has endured ever since the army staged a coup against its first democratically elected president, Jean-Bertrand Aristide, in 1991.

‘FAILED STATE’

In his 2014 book “Haiti: Trapped in Outer Periphery,” Haiti-born political scientist Robert Fatton put the country in the same category as Somalia, Afghanistan and the Democratic Republic of Congo — nations besieged by wars, natural disasters, regime change and foreign occupations.

Rather than refer to them as “failed or fragile states,” Fatton, who teaches political science at the University of Virginia, calls them “states of the outer periphery.” The book, he says, was born out of the Haitian state’s inability to deal with the devastation of the 2010 earthquake and the negative effects foreign policies have had.

Fatton argues that financial entities like the World Bank and the International Monetary Fund have “inflicted waves of economic deregulation and privatization on poor, dependent nations” like Haiti to the point that the country cannot perform vital functions.

“In fact societies in the outer periphery exhibit symptoms of decadence, pervasive corruption and depravity. With the complicity of imperial forces, rulers seek to use electoral circuses to hide these symptoms of venality and disintegration,” he writes in his book. “The decomposition of the state has generated political decay, increased

levels of insecurity and narco-trafficking, not to mention the complete erosion of the sense of civic obligation.”

A group of graduate students at Carleton University in Ottawa, Canada, who have been researching the implosion of the Haitian state, said the role of foreign governments, including their own, cannot be ignored in the current turmoil. The group plans to present a policy brief to the Canadian government highlighting the need for changes in Canada’s foreign policy toward Haiti.

Simply labeling Haiti a “failed state” does not take into account the “spectrum of fragility” that helped Haiti get where it is, said the students, who are working under David Carment, a professor of international affairs at Carleton.

OUTSIDE TROOPS

As the Haitian Senate chambers at the edge of a gang-controlled neighborhood in Port-au-Prince stood silent Monday because there were no incoming lawmakers, 1,700 miles away in Mexico City the leaders of the U.S., Mexico and Canada prepared to meet for their first summit since 2021. Both the U.S. and Mexico penned the U.N. resolution seeking the deployment of a military force for Haiti that the Biden administration would like Canada to lead.

U.S. National Security Advisor Jake Sullivan said supporting stability in Haiti “will certainly” be a topic during the North American Leaders Summit meetings with U.S. President Joe Biden, President Andrés Manuel López Obrador of Mexico and Canadian Prime Minister Justin Trudeau. Biden and Trudeau are set to meet Tuesday in a bilateral.

“The two leaders will talk about some of these proposals, which had been floated at the U.N., which have been floated in informal circles as well, about how we could provide some sort of multinational security support to the Haitian national police,” Sullivan told reporters.

Observers note that the turbulent Haitian situation can’t continue as it is. Gangs continue to wreak havoc, violence and kidnappings still reign, and it would be a mistake, they warn, to think that the current situation is “manageable.” “No one wants to really step forward. ... No one wants to do it right now, under the working assumption also that somehow the situation is bad, [but] it’s manageable,” said Fauriol. “I think that’s where they are making a mistake.

“Everything is hanging by a thread.”

Jacqueline Charles has reported on Haiti and the English-speaking Caribbean for the Miami Herald for over a decade. A Pulitzer Prize finalist for her coverage of the 2010 Haiti earthquake, she was awarded a 2018 Maria Moors Cabot Prize — the most prestigious award for coverage of the Americas.