

THE INTERNATIONAL COMMUNITY AND HAITI: A PROPOSAL FOR COOPERATIVE SOVEREIGNTY

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An earlier version of this commentary appeared in the *Miami Herald* (January 2, 2005). The reaction to that piece has been divided between approval and downright rejection. The rejection was perhaps due to the novelty of the proposal, but more probably it was the implication that Haitians, heirs to a proud legacy of liberation from the shackles of slavery, could not take care of their own affairs. Pragmatic realism, however, informs us that the value at stake here is national survival, and the issues central to the Haiti dilemma have consequences far beyond the borders of that long-suffering society.

A growing literature in international relations argues that states should have three complementary forms of sovereignty: juridical (international law), Westphalian (diplomacy and the practice of states), and domestic sovereignty. The third is missing in a number of states, the so-called "failed states." Stephen Krasner, new Director of Policy Planning at the Department of State, wrote in the journal *International Security* in Fall 2004: "Domestic sovereignty does not involve a norm or rule, but is rather a description of the nature of domestic authority structures and the extent to which they are able to control activities within a state's boundaries. Ideally, authority structures would ensure a society that is peaceful, protects human rights, has a consultative mechanism, and honors a rule of law based on a shared understanding of justice."

Moreover, Krasner, along with other scholars, argues that traditional forms of strategies by external actors, such as "governance assistance" and "transitional administration," miss the mark because they assume that the receiving state has sufficient domestic sovereignty in the form of territorial and border control, administrative capacity, the rule of law, and coercive authority to make lasting improvements in its institutional capacities. The improvements are, moreover, often temporary and give the illusion of progress. In fact, the opposite of progress may occur, since the capacity building is not sustained beyond the short term.

Haiti is among these failed states. It needs a vast amount of international support, and above all, security and a long period of national recovery. Consequently, the international community has a fundamental decision to make. Will it continue to treat Haiti under the assumption of juridical and Westphalian sovereignty, or will it recognize that adherence to

this sacred but incomplete principle is the real impediment to building the capacity of national and societal institutions and restoring the badly-depleted ecology? Haiti does not have the political and institutional capacity to utilize all of its forms of sovereignty fully. Moreover, juridical sovereignty as a theory of international order has little value to people attempting to survive in an environment of zero sum politics; ever escalating violence; very high unemployment; disease and starvation; and of socio-economic and ecological ruin beyond description, abetted by what one Haitian intellectual calls “savage deforestation.”

If the international community continues to operate under the assumption that Haiti is sovereign at all levels, it will be forced to deal with a predatory state that historically has exploited other Haitians, that has diminished the size of the pie rather than increased it. Predators are to be found not just among the political class, but in the business community, as well.¹ Inevitably this will mean working with some elected government, under the mistaken belief that an election is meaningful, that it constitutionally transfers power to the legitimate winner that has the interests of the people at heart, and that such a government has the administrative capacity and human resources to fully utilize its domestic sovereignty to provide the benefits of governance. In fact, history shows that it may merely install another set of ineffective leaders and predators, who might manipulate the symbol of juridical sovereignty to strengthen their political power and rule by force rather than political suasion and the rule of law, which are the foundations of democracy.

The notion of sharing or “cooperative sovereignty” with an international body may be deeply unpopular with some people. But it may be the only dignified alternative left, so that domestic sovereignty can be strengthened to such a degree that Haitians can resume full control of their nation at some future date. This would require a multiyear commitment by the United Nations (UN) to take over security and administrative responsibilities. The modalities of such an arrangement could be worked out; it must include Haitians in senior positions. There ought to be sufficient military and police forces on the ground to maintain security, prevent violence, disarm the population, protect infrastructure, and to begin nurturing habits of self-reliance rather than self-destruction.

A massive ecologically-based strategy to plant trees, restore soil, resuscitate agricultural production, and provide incentives for people to resume a more dignified existence in the countryside would be fundamental. Less than 2% of the tree cover survives, down from 17% some 30 years ago. Heavy rains simply wash the topsoil into the Caribbean. By the mid 1990s, an estimated 20% of the topsoil was depleted. Unless trees are planted in large quantities and protected, the loss of soil will accelerate. In the 1980s, the U.S. Agency for International Development helped plant millions of trees, but Haitians cut them down almost as fast to make firewood to cook with. Ecologically and administratively, Port-au-Prince’s population is too large. With unemployment levels hovering at 80%, these people should return to the land, where their creative skills can be utilized in repairing and extending the physical infrastructure. Mini gas stoves could substitute for the charcoal produced by the destructive tree cutting.

Given the complex challenges posed to many countries by a combination of global warming, soil depletion, environmental damage, diseases, international criminal activity, and terrorism, the international community should adopt Haiti as a special commitment. The 21st century assuredly will have other candidates.² Therefore, what is accomplished in restoring

Haiti will have important consequences not solely for Haitians and the United States, but for the entire global community. To legitimate the effort internationally and within Haiti, the UN should conduct a referendum, asking Haitians for a yes or no vote on the proposal.

In addition to much more time, the UN MINUSTAH (Acronym in French for UN Stabilization Mission in Haiti) force in Haiti needs a robust mandate and more troops. The current arrangement of renewing the UN mandate every 6 months does not inspire confidence that the arrangement will last long enough. The number of countries providing forces should also be expanded, with enough soldiers to allow allocation of national responsibilities according to departments. The current MINUSTAH authorized deployment of 6,700 multinational troops plus 1,622 police has done good work, but the numbers are insufficient, given the size and terrain of Haiti and the demanding missions of establishing security and reconstruction.³ It must have the mission and enough force to disarm the criminals.⁴ Employing thousands of Haitians, these contingents could also perform complementary reconstruction tasks, such as security, bridge and road construction, building schools and medical facilities, water and sanitation. But the task should not be left to soldiers alone; the challenge of implementing a long-term ecologically-based strategy should be placed in the hands of a civilian administrator, endowed with enough authority and the resources to do the job.

While the reconstruction of Haiti is underway, the international community must avoid the seduction of another early exit, lest it leave Haiti to endless cycles of rapacious government of little legitimacy, followed by violence, continued ecological destruction, and boat people. Recently, Roger Noriega, Assistant Secretary of State for Western Hemisphere Affairs, told the U.S. Congress that the United States is “determined to stay the course as long as the Haitians themselves remain engaged in fashioning the truly democratic government they deserve.” Only a partnership arrangement with the international community of “cooperative sovereignty” can help bring about this noble goal.

ENDNOTES

1. The descriptive “predatory” comes from Robert Fatton, Jr., *Haiti's Predatory Republic: The Unending Transition to Democracy*, Boulder: Lynne Rienner Publishers, 2002. Fatton argues that both the “possessing class” and the “government class” dominate Haiti, with little of the mediating institutions to represent the interest of the people.

2. *The Economist* of March 4, 2005, lists 20 possible failed states. There will undoubtedly be more.

3. For a status report on MINUSTAH, see Eric Green, “U.S.-Backed Peacekeeping Force Has Improved Security in Haiti,” <http://usinfo.state.gov>, 3/14/2005.

4. The Harvard Law School released a report in March 2005 that criticized MINUSTAH's shortcomings, “for its passive approach on everything from disarmament to human rights protection.” The report states: “MINUSTAH has effectively provided cover for the police to wage a campaign of terror in Port-au-Prince.” Cited in Jane Regan, “Haiti: Peacekeepers stage raids to disarm thugs,” *Miami Herald*, March 22, 2005; www.miami.com/mld/miami/herald/11197075.