

**Democracy Enhancement Project
Civil Society Component**

**HAITI'S CIVIL SOCIETY:
AN ASSESSMENT OF THE STATUS OF CIVIL SOCIETY**

Assessment, Conceptual Framework & Strategy

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1 INTRODUCTION

1.1 PURPOSE OF THE CIVIL SOCIETY ASSESSMENT

This report provides a general assessment of Haitian civil society in the nation's protracted transition to democracy. In late December 1995, USAID/Haiti contracted America's Development Foundation (ADF) to implement the Civil Society Component of the amended Democracy Enhancement Project. The terms of the contract required an initial assessment of Haitian civil society in order to (1) prepare and justify a detailed workplan, including benchmarks for the first year and for the life of the contract, (2) determine technical assistance needs, and, (3) provide the basis for a Rolling plan of project activities to be used for annual implementation planning and reviews, to be updated periodically, as required, based on such reviews and in response to the evolution of the transition process itself.

1.2 SCOPE AND METHODOLOGY

The body of the report summarizes salient elements of Haitian civic and associational life today, and illuminates the broader sociopolitical and cultural context within which civil society can reasonably be expected to evolve and to bring its own considerable resources to bear in support of the overall democratization and reform process. The report also includes a brief review of prior USAID assistance to the democracy sector, not only under the original DEP (1991-1995) but also in selected earlier Mission initiatives that promoted effective participation and democratization both before and after the downfall of the Duvalier dictatorship in 1986, and a brief overview of current and planned other-donor assistance to the sector.

Most importantly, the report lays out a comprehensive conceptual framework and strategy to guide implementation of the DEP/CS and its integration into the mission's democracy and governance (DG) portfolio and strategic objective number one (SO1) - More effective and responsive democratic institutions and empowered communities. This framework, responsive to the multiple institutional mandates under which the contract is to be implemented, is based on a focused prioritization of targets and objectives to be pursued under the component in response to the extremely broad charge of the amended DEP's revised goal statement:

To support the Haitian people to build a participatory, accountable, responsive democracy, and to establish the basis for long-term equitable growth

The assessment seeks to demonstrate that this prioritization can be systematic yet remain flexible and responsive, through the periodic application of simple diagnostic tools and regular evaluation of feedback based on implementation experience as it accrues. In this sense, the assessment itself should be understood as a work-in-progress, which will be revisited and updated over the life of the contract as evolving circumstances and accumulated knowledge require.

The Civil Society Assessment is accompanied by a descriptive and detailed Workplan for the first year of full-scale program implementation, including an implementation plan and schedule, a monitoring and evaluation plan, proposed benchmarks and indicators, and recommendations regarding the functioning and composition of the *Conseil Consultatif Haitien* (CCH), which will be convened to serve in an advisory capacity as the component's functional civil society counterpart in program planning, implementation and review.

Suggested program priorities based on the assessment are best understood as limited menus, offered to

guide the consultative process - involving the CCH, the Office of the Prime minister's Governance Commission and USAID/Haiti's SO1 team that will properly determine the project's initial set of choices about how and on what fronts to proceed. The analysis lays the groundwork for informing these choices.

The assessment as planned was to comprise three initiatives: (1) a systematic rapid appraisal of public perceptions, knowledge and attitudes, (2) sectoral perspectives prepared by local experts and practitioners, and, (3) an analysis of lessons learned from donor experience in democracy promotion and civil society strengthening in Haiti since 1978. Due to uncertainties concerning the availability of FY96 funding for the project, occasioned earlier this year by the Dole Amendment, the first of these initiatives was necessarily deferred, and has now been incorporated in the planning and design of a nationwide public opinion survey that will be administered starting in December.

This report is thus based on a more qualitative appreciation of the current climate of public opinion and the status of public knowledge, informed by extensive consultations with a broad range of civil society and public sector actors over the last several months, and information and conclusions gleaned from the other two areas of analysis.¹ It remains fully responsive to the purposes for which it was planned, and will be complemented by the results of the national survey, as they become available in mid-1997.²

1.3 PROJECT PURPOSE AND OBJECTIVES

Within the framework of the revised goal statement cited above, the DEP's revised purpose is:

To increase the capacity of public and private institutions to facilitate broad-based participation in democratic decision-making, and to enhance respect for the Constitution

¹Although a number of the sector-specific reflections solicited from active members of Haitian civil society and other analysts ultimately led to the preparation of written contributions by some, these essays proved to be of such varying quality and tone that it was decided to forgo their inclusion as annexes to this report. Nonetheless, the Assessment's strategic framework and analysis draws extensively on the most insightful of these pieces, and has been equally informed by the very fact of their diversity. In addition, a more general appreciation of civil society's current role and potential was prepared by a Haitian consultant who is himself deeply involved in current civil society initiatives at the national level and who coordinated the sector-specific consultations. It synthesizes the many currents of civil society initiatives and expectations revealed by the sector-specific reflections, and applies them in developing an expansive call-to-action for furthering the reform process and reinventing the governance relationship that irrevocably binds the Haitian state and nation. A listing of these documents and their authors appears as Annex One, all are available for consultation by the interested reader upon request.

²Planned funding in support of organized labor that was to be channeled through a subcontract under the broader Civil Society Component of the DEP has been delayed indefinitely in Washington. Thus, while it is fully expected that organized labor will play an integral role as a co-participant in the implementation of selected program activities under this component, a specific focus on the sector has not been pursued in either the Assessment Report or Workplan. The design of an appropriate support program for organized labor will be the topic of a separate, more specialized study, when and if the eventuality of funding has been reestablished.

In pursuing this purpose, the project provides support to public sector institutional development at the parliamentary and local government levels, on the one hand, and for strengthening Haitian civil society, on the other

The specific objective of the DEP Civil Society Component contract with ADF is

To encourage key segments of society, including the elite, youth, labor, urban and rural poor, and other groups in society, to exhibit increased understanding of the rights and responsibilities of citizens, tolerance and respect for the rights of others, and increased participation and collaboration in problem-solving in peaceful fora (emphasis added)

The End-of-Project Status directly attributable to the DEP/CS is that

All sectors of society exhibit increased participation in democratic fora, and an increased understanding of citizen rights and responsibilities (emphasis added)

The DEP/CS is thus expected to complement democratic institutional development efforts in the public sector by strengthening civil society *at both the national and local levels*, in order to increase citizen participation, promote democratic values, and foster national-level dialogue and reconciliation. It supports all other USAID/Haiti assistance for democracy and governance, which targets public administration reform, administration of justice reform, elections support and police training, in addition to DEP support to Parliament, local governments, and human rights

As part of a bilateral agreement with the Government of Haiti (GOH), the DEP/CS also seeks to respond to a significantly broader mandate provided in the preamble of the 1987 Haitian Constitution, which calls for

" the consultation and participation of the entire population in major decisions having an impact on the life of the nation, "

This constitutional mandate is fully consistent with the more specific purposes and objectives of the DEP, as well as with the Mission's overall democracy and governance strategic objective. It is worth noting, however, because, as formulated, it usefully brings to the fore the one aspect of the civil society component's responsibilities that has motivated the most reflection and analysis in the conduct of this assessment - that its impact be *national*, not simply local

The core notion captured by the framers in this simple phrase is that democratic participation cannot and must not be relegated to *local* participation alone. It is therefore insufficient to look to community-level participation in community-level affairs as the ultimate goal of democratic governance, no matter how profound and salutary such an achievement may appear in the light of Haitian history. Indeed, it is in precisely such a light that it becomes apparent that one must actually attempt to go much further. What must be sought is nothing less than the reinsertion of the population, as citizens, into the stream of *national* life and decision-making. To settle for less is simply to expand - rather than to break through - those boundaries that would continue to confine the majority to their own world(s), where they would remain bereft of the full measure of both power and responsibility that the Constitution clearly intended to bestow upon them. Just how this challenge can be met is one of the key themes around which the strategy presented here was constructed

1.4 USAID MISSION EXPERIENCE

The DEP/CS builds upon a long history of Mission involvement in Haitian democratization. This involvement significantly predates the fall of the Duvalier dictatorship and the Agency's broader current interest in promoting democracy worldwide, and has evolved over the past two decades to keep pace with local developments - both positive and negative - as the transition has proceeded.

As early as the late 1970s, USAID began to distance itself from the traditional community council movement, which was proving both ineffectual and readily susceptible to political co-optation by the regime (Lowenthal 1978), and to support alternative Haitian non-governmental efforts to create local constituencies of peasant farmers through pre-cooperative formation, communal income-generating activities and non-formal education based on small groups (Lowenthal & Attfield 1979). Known as *gwoupman* (Fr. *groupement*), these base groups often joined together in larger ventures such as cooperative storage and agricultural supply outlets. While USAID concentrated its support on exploring the replicability of this peasant organizing methodology through two operational program grants (OPGs) to Catholic Relief Services/Caritas-Gonaives for the Gros Morne/Grepin Center and the Groupement Pilot Project in Bayonnais (Lowenthal 1979), others extended existing approaches in locations as diverse as the Plateau Central (Mouvement Paysan Papaye/MPP) and Chambellan, near Jeremie (see Lowenthal & Attfield 1979 and Locher *et al* 1983). The resulting local and regional peasant associations, dispersed around the country, later became active in the political arena, first protesting the abuses of local section chiefs, *tonton makout* and the military, and later making a significant contribution to the protest movement that ultimately prompted Jean-Claude Duvalier's departure in 1986. These peasant organizations - among many others, to be sure - also formed an important base of electoral support in the interrupted 1987 elections, and in the elections of 1990 and 1995.

Throughout the 1980s, USAID applied lessons learned about peasant organizations and small group formation as a way to increase absorptive capacity, encourage participation, and enhance prospects for the success of projects in virtually all sectors. During this period, USAID also implemented much of its portfolio through local and international NGO's, which channeled services through networks of pre-existing local groups and built new constituencies around project activities. Such services included agroforestry outreach, agricultural extension, public health and medical services, literacy training and education.

Beginning in the mid-1980s, just prior to the momentous events of early 1986, the Mission began to pursue democracy initiatives as such, funded under a series of relatively modest grants and cooperative agreements managed by a general development officer out of what was then known as the Health, Population and Nutrition Office (HPNO). Together with the American Institute for Free Labor Development (AIFLD), who worked exclusively with selected elements of the emerging trade union movement at this time, America's Development Foundation (ADF) was the primary recipient of these awards. ADF, in turn, subgranted funding to Haitian NGO's working directly on various aspects of democracy promotion, including broad-based civic education, local democratic networks and debate, human rights training and monitoring, legal education and assistance, and freedom and professionalization of the press. Subrecipients during this period included the l'Amicale des Juristes, the Association of Haitian Journalists (AJH), Celebration 2004, the Center for Human Resource Development (CDRH), the Haitian Center for Human Rights (CDRH), the Haitian International Institute for Research and Development (IHRED), and the Haitian Lawyers' Association.

At two points in the period 1985-1990, these diverse programmatic and institution-building initiatives coalesced in all-out efforts to provide voter education and stimulate voter participation in the 1987 and

1990 national elections. These civil society-based campaigns, spearheaded by CDRH and IHRED working through their existing networks of local- and regional-level organizations and animators, complemented significant levels of direct support to the GOH that were required to finance the electoral process itself. In contrast, similar levels of civil society participation in the electoral process neither emerged spontaneously nor were adequately encouraged by any donors in two subsequent elections, those of June and December 1995, and this absence probably made itself felt in lower levels of voter turnout than might otherwise have been achieved.³

The 1990 electoral results properly prompted significant changes in USAID's approach to democracy development - and to civil society development, in particular - in Haiti. First, the success of the electoral process and the stability that the prospect of a five-year, constitutionally-guaranteed presidential mandate presumably heralded permitted the Mission, for the first time, to design a more-or-less comprehensive democracy program (including the original Democracy Enhancement project, an Administration of Justice Reform project and a Public Administration Reform project) that sought to provide long-term support to the implementation of some of the 1987 Constitution's most important institutional innovations and reforms. These included deconcentration and decentralization, independent and functional legislative and judicial branches, a more efficient and professional civil service, and an autonomous and permanent Electoral Council.

The program as designed also foresaw strong support to non-governmental entities, specifically providing for political party and trade union development, and subgrants to both membership-based civil society organizations and NGO's for civic education, public debate, advocacy and institutional development. Because these efforts could now be looked to complement the important public-sector institutional development efforts that were expected to get underway relatively quickly, the key role of civil society in good governance - which will be explored in some depth later in this report - was also made an explicit and prominent part of the program's rationale and design for the first time.⁴

³ Unfortunately - particularly for those who would like to demonstrate the "results" of specific interventions through readily measurable and verifiable indicators - apparently simple variables like voter turnout are actually complexly determined outcomes of myriad factors, many of which may be well beyond the control of any donor initiative. The 1987 elections were effectively aborted by right-wing violence throughout the campaign period that culminated with an election day massacre in the heart of the capital that prompted nationwide cancellation of the polling. Nonetheless, early-morning turnout suggested that participation would have been quite high had the balloting not been disrupted, and this may well have been attributable, at least in part, to USAID-financed civil society efforts. Ironically, it is probably somewhat more tenuous to attribute the massive voter turnout for the 1990 balloting to what were in fact much more extensive USAID-backed efforts at the time, given the undeniable and overwhelmingly positive impact of Aristide's eleventh-hour entry into the campaign on this same variable (Levin 1995). Similarly, the degree to which the significant reduction or absence of such efforts depresses participation may be nearly impossible to assess, particularly where other, more generally applicable, factors appear to be in play.

⁴ Nowhere was this new emphasis made more clear than in the design decision to link the implementation of the civil society support program to an ambitious training and support effort for local government entities, by awarding a single cooperative agreement to one U.S.-based NGO to implement both components. Indeed, it was in exploring some of the synergies that could be tapped by conducting joint training for local elected officials and community-level civil society leadership under this earlier agreement that ADF began to develop a number of the ideas that inform the strategy that will be proposed here.

Finally, the hallmark of the civil society portion of the portfolio in this period, overall, was to be pluralism, or democratic diversity. This too represented something of a departure from what had previously been a program heavily concentrated in a relatively narrow portion of the post-Duvalier political spectrum, judged at the time to be centrist. This new emphasis on pluralism in the wake of Aristide's commanding victory at the polls was variously interpreted by critics of the program, but clearly stemmed in large measure from compelling advances in the literature on comparative democratic development that firmly linked diversity in civil society to the success of democratic transitions (see Diamond *et al* 1989, as heavily cited in the original DEP Project Paper)

The question of where these new approaches might have led during the course of an uninterrupted presidential mandate for Aristide was, of course, quickly mooted by the September coup d'Etat and the subsequent succession of unrecognized *de facto* regimes established by the military. Following a six months suspension of virtually all development activities between October 1991 and March 1992, USAID opted to re-activate the civil society portion of the DEP, in order to clearly demonstrate a continued commitment to democratic development during what was already promising to be an extended and difficult period. The project, operating under considerable constraints, turned its attention to supporting limited Haitian NGO programs in legal assistance, prison and human rights monitoring, and public information campaigns. It also rapidly sought to build bridges to a broader spectrum of partners, particularly in those sectors most beleaguered by the military and its henchmen⁵

While the Lessons learned in attempting to implement a civil society-based democracy program under conditions prevailing following the coup were many, and often complex, those that are most pertinent to this assessment and the workplan that accompanies it are relatively straightforward. They are

- That, under certain circumstances, short- to medium-term programmatic initiatives, aimed at having a direct impact on the flow of events - on the process itself and on those that are struggling to move it forward - may be both more crucial and more appropriate than longer-term institutional development objectives
- That, in spite of its apparent triumph at the polls in 1990 and its unflinching moral resistance during the *de facto* period, the grassroots movement and its constituents generally remained (a) highly vulnerable to direct repression, (b) insufficiently developed at organizational levels beyond the local, (c) overly subject to factionalism and schism based on personal conflicts and ambition, themselves fueled by partisan political interests expressed through traditional patron-

⁵If the pitfalls of concentrating support to a relatively narrow portion of the political spectrum - if not already sufficiently clear on the basis of both the theoretical literature and the overwhelming victory of Aristide at the polls, supported by a massive "sector" with which the democracy program had until then had little or no direct dealings - were brought home emphatically when, in the days and months following the coup, the leaders of no less than three prominent "democracy" NGOs that had received significant USAID (and other donor) assistance in the late '80s publicly associated themselves with the so-called "de facto's". One, in fact, went so far as to become the first *de facto* prime minister, in the bloody early days of the military takeover, a second served as putative Minister of Justice under the second puppet prime minister, under a regime that continued to make a mockery of justice in any meaningful sense of the term, while the third lent only informal - but nonetheless publicly quite evident - political support

client relationships (*clientelism*), and, consequently, (d) had yet to develop much of a coherent, and independent, voice on the national stage

- And finally, that even under the most harrowing and polarizing of circumstances, there remained at least some scope for inter-sectoral dialogue around issues of common concern, even where positions differed radically

These lessons - along with the entire evolution of the USAID democracy program sketched briefly here - strongly inform the design of the amended DEP, and have been developed and carried through in the Civil Society Assessment and DEP/CS Workplan. In effect, the DEP/CS brings USAID's work in support of Haitian civil society full-circle in two important respects

First - both in its complementarity to each of the other DEP components and other USAID democracy projects, and in its focus on the substantial contributions that civil society can and must make to the constitutionally mandated institution-building and reform process, through national dialogue and other consultative channels - the current activity represents a return to and reinforcement of the integrated approach originally planned for implementation during the first DEP, had a stable Aristide mandate been possible

Second - in its particular attention to enhancing the voice of historically excluded and under-represented sectors in national life, by advancing the "organizational articulation" of these interests through civic education, cross-fertilization and organizational development initiatives - the DEP/CS will return to the same kinds of groups and processes that were the focus of some of USAID's earliest work in local, participatory development at the community level, and to assist their associations and federations in building broader regional and even national coalitions active in public affairs

1.5 OTHER DONOR PROGRAMS

Other donors generally are aware of and appreciate the importance of a vigorous civil society in building and maintaining democratic governance. Their approaches to supporting civil society in the context of a democratic transition, however, do not appear to have advanced quite as rapidly or as radically as USAID's own strategic thinking in this area. (See, esp., Hansen 1996 and USAID n.d., which are discussed in detail in section 4.2, below.) Consequently, other donor projects in support of civil society, even when these are undertaken in the broader context of a governance program or strategy, have yet to focus squarely on the role of a politically engaged civil society in the reform process itself, nor to work closely with civil society organizations to develop this particular aspect or potentiality. More typical have been generic NGO-support projects and/or sector-specific umbrella projects that strengthen NGO's working in a particular domain such as health, economic development, the environment, education, etc.

Nonetheless, there are three trends in other-donor programs that should be highlighted here because of their potential complementarity to the DEP/CS

First, sector-specific support projects that explicitly target sectors and sub-sectors critical to democracy and governance have emerged in the last few years. The Centre Canadien des Etudes et de Cooperation Internationale (CECI), with Canadian government (ACDI) funding, has supported Haitian human rights NGO's, particularly the Haitian Platform of Human Rights Organizations ("Plateforme") since the *de facto* period. This program was recently expanded to include a more diverse array of Haitian human rights groups. CECI has also begun to work with a number of community radio stations in the context

of a new Local Development Support program, with funding from the World Bank, through the Central Management Unit (UCG) of the Office of the Prime Minister. This network may be of significant utility to the DEP/CSO's planned information dissemination and civic education programs, as discussed later in the assessment and in the accompanying workplan. Other important work with the media has been undertaken by the United Nations' Development Program (UNDP), which has supported Info-Services, a journalist training center and information clearing house, with a modest initial two-year grant that is expected to be extended in 1997.

A second complementary other-donor initiative is the European Union's planned Program in Decentralized Assistance, which was designed and is to be implemented by GRET, the Groupe de Recherche et d'Echanges Technologiques. This program proposes a community-based approach to the entire decentralization process, emphasizing the role of civil society and locally active NGO's in community development processes to be overseen by local government. If it is undertaken in sufficient scope following a planned pilot phase, this activity will strongly complement the DEP/CSO's focus on civil society development of a broader scope, at the regional and national levels, with its attention to local organizations and participation.

Finally, both the World Bank and the Interamerican Development Bank (IDB) have factored civil society into the design of their major governance reform initiatives. Their planned activities in this area, however, have considerably more to do with preparing government to be solicitous of, and responsive to, civil society shoring up the "supply side" of the relationship, as it were - than with direct support to civil society organizations and actors themselves.

The World Bank's assistance in this connection is slated to go primarily to the Office of the Prime Minister's three reform commissions on Governance, Decentralization and Public Administration once these bodies are staffed and fully functioning, in the context of their planned technical assistance to public sector modernization. Funding will permit the establishment of mixed working groups (i.e., including civil society participation) on various aspects of the reform process and information dissemination, by government.

The IDB has designed significant civil society-oriented activities into several components of their expansive Modernization of the State program. With respect to Parliament, these include ambitious and well-funded plans for the establishment of a press and public relations service for Parliament itself, local constituency offices for individual representatives and a communications/civic education program on the role, responsibility and function of the legislative branch. Some more direct support to civil society itself will be provided under this component, both to train a limited number of journalists in legislative reporting, and for constituent training in lobbying and advocacy techniques. In other components, including public administration reform, upgrading the civil registry and support to the Cour Superieure des Comptes (CSCCA), much smaller amounts of funding have been earmarked under the civil society rubric for outreach and dialogue. Civil society consultations, public conferences and aggressive communications strategies are planned for implementation by appropriate government entities in each case.

Although none of these IDB initiatives - which require parliamentary approval - are likely to begin implementation until late 1997, they will all eventually provide essential complementary assistance to that planned under the DEP/CS by preparing Parliament and government to be more fully responsive to civil society's demands for transparency and accountability, and by providing officials and representatives with the skills and opportunity to communicate and consult with their constituents.

2 DEMOCRACY AND CIVIL SOCIETY A CONCEPTUAL FRAMEWORK

2.1 CIVIL SOCIETY IN A DEMOCRATIC SYSTEM

A dynamic and diverse civil society has long been considered the bedrock of a stable democracy. There is a direct correlation between the strength of civil society and the chances for successful democratic transition and consolidation. (See, *inter alia*, Diamond *et al* 1989)

As noted in an earlier Haiti Democratic Needs Assessment (Zak & Smucker 1989), democratic governance is not achieved simply by holding free and fair elections. Rather, it consists of institutions, processes and values which evolve over time. This requires intense, ongoing efforts in and by both public and private sectors to induce a sea-change in the political and civic culture of the Haitian nation. The advantages brought to any democracy by a vigorous civil society are many. Over time, both during and after the transition period, a strong and well-organized civil society can be expected to make critical contributions in the following areas:

- Autonomous associations within society - based on class, gender, occupation, region or other common interest - can be **effective intermediaries between individual citizens and government**. At the same time, government should be only one of many institutions that exist to serve the needs and interests of citizens in a diverse and complex social fabric.
- A dynamic and diverse civil society **stimulates an awareness of both the rights and obligations of citizenship, multiplies responsible demands on the state, and fosters the capacities of individuals and groups to improve their own welfare independent of government**.
- An active civil society helps to undercut dependency and apathy, and reinforces a basic sense of community, where it may be lacking, and **promotes notions of the common good, shared responsibility, accountability and service**.
- A robust independent sector **generates a reservoir of resources political, economic, cultural, and ethical which can complement those of the State** and, simultaneously, serve to balance state power. A hallmark of democratic governance is the presence of an active citizenry able to influence state policy.
- Civil society **serves as a spawning ground for innovative leadership** that is vital for the long-term health of the state. As the leadership base in old networks and political parties becomes narrow, unrepresentative, and stagnant, new leadership development is essential. As individuals rise to leadership positions within civil society, they gain recognition as potential new leaders in the political arena.
- By channeling participation and competition into constructive, goal-directed, common endeavors, a rich associational life **empowers people and increases their stake in a political order that ensures basic freedoms** - of conscience, of speech and of association, and guarantees the "rules-of-the-game". This creates the enabling environment for the development of a climate of tolerance, mutual respect, negotiation and compromise, and for the nonviolent resolution of conflict under a rule of law.
- Democratic governance works best when the organizations within civil society are not only active,

but also diverse and pluralistic in keeping with the range and variation of social groups and economic classes in society. Clearly, independent sector groups and constituencies are unequal in terms of stature and resources. They do not necessarily exercise power and influence in proportion to their numbers, nor the urgency of their claims. **The poor and disadvantaged gain the potential to improve their lot through the freedom to organize and tap the political power implicit in their numbers**

- Finally, the active expression of conflicting interests and pressures by civil society **tends to keep the state from arbitrary capture by a single faction, and compels at least some accommodation to divergent or minority interests**, and to marginalized sectors of society overall

2.2 GOVERNANCE

2.2.1 State, Government and Civil Society

It is essential in the Haitian context to distinguish clearly between the notions of *state* and *government*, i.e., between established structures, processes and systems in which national identity and sovereignty is permanently vested, on the one hand, versus those particular actors temporarily entrusted with operating those systems, and subject to relatively regular, rule-governed rotation, based on either election or appointment. In Haitian political history, the two have long tended to merge, effectively perverting and subverting the state apparatus by reducing it to little more than an instrument of authoritarian control and a store of wealth for those holding power at any given time.

Though outside observers tend to emphasize the frequency with which national power has changed hands over the country's almost two centuries of independence, it is equally important to recognize that one particularly damaging result of this remarkably consistent subversion of the state by those who purported to govern, whoever they might have been, was to institutionalize the State (*HC leta*) and its image in the eyes of the people as consistently authoritarian, inefficient, corrupt, rapacious and remote. This firmly entrenched practice, and the resulting, essentially accurate, negative image of *leta*, are thus as constant and characteristic features of Haitian political history as have been its "revolving door" governments.

In this sense, the Constitution's designation of the office of President as "Chief of State" represents something more in the way of a burden than an honorific, and this designation although clearly intended to distinguish between the respective roles of the President and the Prime Minister, as "head of Government" should not be permitted to confuse the terminological issue at hand. The sitting president is no less a part of government, as it is being used here - subject to regulation and regular rotation (*Fr alternance*), than any other democratically elected officeholder, even as he or she, temporarily, occupies the chief-of-state's position.

The sitting government, by dint of historical necessity and current circumstance, today confronts the sobering charge of reinventing and reinvigorating the Haitian state and, in the process, of rediscovering and redefining the appropriate, respective roles of state, government *and* civil society in what is usually called governance.

2.2.2 Governance, Democratic Discipline and the Open, Public Realm

Governance may be understood as a process that establishes the parameters and reproduces the

conditions under which the economic, social, political and cultural life of the nation (including that of civil society) unfolds⁶ In non-democratic systems of governance, this process may be either arbitrary or rule-governed, but it is always monopolized by government, and usually in the service of a small privileged class Democratic systems open this process to regulation, control and oversight functions emanating both from within and beyond the state, to ensure that governance serves the interests of the governed

In other words, democracy *disciplines* the exercise of state power by those who govern It does so through a number of critical institutional arrangements and processes that, *taken together*, are definitive of democratic systems of governance These should include

- **constitutional framework**, which subjects the whole process of governance to a set of fundamental rules reflecting substantial consensus on the shape and limits of the political process that, while not immutable, are insulated from the vagaries of changing political fortunes and the will of simple majorities by requiring extraordinary measures for their own amendment
- **system of checks and balances**, which requires that the three branches of government, *and* the various levels of government, from central to local, are each essentially autonomous and capable of disciplining each other's exercise of power
- **Periodic elections**, which require elective officeholders and political parties to take into account the interests of ordinary members of the voting public or to face appropriate sanctions on a regular, if intermittent basis
- An **open public realm**, which subjects government at all levels to the effective influence, scrutiny and criticism of civil society on a *continuous* basis

In addition to the essentially internal controls established by a constitution and the separation and balance of powers, then, democratic governance clearly implicates both civil society actors and state actors in a relationship whose express purpose is to bring the interests of the governed to bear on the actions of those who govern Indeed, neither democratic governance nor governance reform can be properly understood - or undertaken - when seen as primarily state functions Rather, they are both processes - one ongoing and continuous, the other goal-oriented and finite - but both firmly, and necessarily, grounded in the *relationship* between civil society and the state Ultimately, whether driven by a reformist government or by an activist civil society, the success of fundamental reforms and the long-term sustainability of democratic governance depend on the productivity of this relationship

Although free and fair elections are the most commonly cited instrument of such a relationship, elections are in fact inherently limited devices for this purpose First, they occur only periodically Second, they scrutinize only the performance and promise of those seeking *elective* office, who represent but a small percentage of state actors overall and, in most cases, an even smaller percentage of those having direct contact with the electorate Third, they are not particularly effective in disciplining the actions of incumbents where reelection is proscribed Finally, they present a necessarily limited field of choice, in terms of both candidates and issues, restricting the range and depth of voters' expression to only those

⁶The following discussion of the governance process depends heavily on Oakerson 1995

matters that are included or represented on the ballot

Thus, it is ultimately the open, public realm that must be relied upon to provide the overarching, ongoing discipline of a democratic system, and through which the state and civil society actualize the relationship that is at the heart of democratic governance. In this shared arena, the crucial roles played by civil society are two

- To aggregate and represent citizens' interests to government, thereby *increasing effective citizen participation in the policy-making process*
- To monitor government performance and to demand transparency in all aspects of public administration, thereby *increasing government's accountability to the citizenry*

Moreover, these civil society functions, absolutely critical to democratic governance actually *require* the existence of the open, public realm, and cannot be properly pursued or fulfilled where such a "space" has not yet been firmly established and maintained, or where it is dominated entirely by partisan political interests

The basic guarantees that serve to open and to safeguard this arena, so essential to democracy itself, are the four fundamentally *political* freedoms - of opinion, association, speech and the press. Yet the arena is not truly open until it is effectively occupied and exploited constructively by both civil society and government. This requires more than the guarantee of freedom, it requires the will - and the habit - to *exercise* that freedom by engaging the issues through open, democratic debate

Not surprisingly, the open, public realm is particularly attractive to partisan political interests, most commonly but by no means exclusively represented by duly-established political parties. Indeed, it is so attractive to such interests - usually pursued with equal fervor, it should be noted by both sitting governments and the opposition - that they may at times seem to occupy all of the available space, literally crowding out *nonpartisan* voices and initiatives, and rendering the open, public realm considerably less attractive, if not thoroughly repugnant, to those who might otherwise join the issues. This is more or less the case in today's Haiti, although even partisan activity in the open, public realm is relatively circumscribed here by the underdevelopment of issues-based political parties (Levin 1995 417 ff). Understandably, overwhelming partisanship in the open, public realm tends to discourage even the most progressive governments from exposing themselves to the fray, and makes them considerably more wary of that very openness that should define their meeting-ground with civil society

Therefore, the open, public realm is always at first a treacherous and foreboding terrain, one that must be pioneered, tamed and cultivated by those who would wish to settle it in a spirit of civic responsibility, reasoned debate and government responsiveness. Doing so in the context of any democratic transition, and at any point in such a transition, is inherently difficult. Given the particulars of Haitian political history and culture, it is a truly daunting prospect

3 HAITIAN POLITICAL CULTURE

3.1 THE HISTORICAL LEGACY

It is shortsighted to attribute the profound social cleavages that characterize Haiti today to the lengthy Duvalier dictatorship, to the excesses of the many reactionary and repressive army-run governments that followed in the wake of its downfall, or even to the sweeping reversal of traditional power relationships that the 1990 elections seemed to herald. Rather, contemporary Haiti is best understood as the issue of 500 years of its own, post-"Discovery" history - a history that has produced an economy, society and culture profoundly divided into two grotesquely unequal and deeply polarized segments.

The Haitian Revolution (1791-1803) brought an end to one of the most productive and equally brutal plantation regimes the world has ever known. Haiti became the first free nation of free men to win their independence from the European metropolis and its local, slaveholding colonists simultaneously. Yet the Haitian Revolution was fought in the name of two very different kinds of freedom by two distinct and unequal groups. The majority class of slaves fought for *personal* liberation, and the right to determine their own destiny. A minority class of *already* free men and women of color, who at the time controlled one-third of the colony's land *and* one-fourth of its slaves, fought for political and economic freedom from France, and the "right" to manage what was then the richest of the world's many colonial economies. Today, the sociopolitical and cultural heirs of these two groups live side by side in a country they have never really shared, cohabitants but not yet truly fellow citizens. With its massive peasant base and tiny upper class, Haiti today continues to be haunted by the specters of eighteenth-century slavery and colonialism.

After the Revolution, the newly free took refuge as independent cultivators on the margins of the ruined plantation economy. They transformed Haiti into the most thoroughly peasant society in the hemisphere. Until recently, these staunchly independent peasant farmers tended to keep to themselves, and generally sought to avoid contact with outsiders of any kind, and representatives of the state in particular.⁷

In the early nineteenth century, Haiti's emergent economic elite firmly established itself in mercantile pursuits based on imports for what had been designed from the outset as a dependent island economy, and exports of cash crops now produced on thousands of dispersed peasant holdings rather than on extensive plantation estates. The post-independence elite also gained control, directly and indirectly, of the state apparatus, especially the instruments of taxation and the customs houses.

⁷For a more detailed treatment of these issues, see, e.g., Barthélemy 1989, Mintz 1974, Smucker 1982 and Trouillot 1990, among others. By metaphoric extension, the avoidance/flight response of the emergent Haitian peasantry in the face of asymmetrical power relationships, which has long since become an identifiable feature of Haitian rural culture, is widely referred to as "*mawonaj*," a term which originally applied to runaway slaves, or "maroons," who fled plantations and sought to establish independent communities as free men and women in remote areas throughout the hemisphere (see Price 1973). The historic current "opening" of the rural population to political involvement, based on local grassroots organizing, predates the fall of the Duvalier regime, as previously noted, but gained unprecedented momentum in the years immediately following (see Americas Watch/National Coalition for Haitian Refugees 1993, Levin 1995 and Smucker & Noriac 1996).

The client-state of this mercantile elite maintained a sizeable standing army as its defining feature, and the army retained its powerful political role - a carryover from military dominance during revolutionary and pre-revolutionary times. Overall, the emergent system facilitated a massive outflow of economic resources from the countryside, and maintained an almost caste-like disparity between the urban elite and an increasingly embattled peasantry, based on this continuing transfer of wealth from producers to merchants. This system necessarily resulted in a deeply polarized country, and growing levels of rural impoverishment over time. This underlying polarization of society persists to this day, despite the more recent emergence of small intermediary classes in both urban and rural areas, and significant levels of rural flight, which have resulted in rapid urban growth and growing masses of urban poor.

Today's challenge is nothing less than to transcend this legacy and move forward as a single nation - toward a future in the coming century that holds the promise of inclusion and well-being for all of Haiti's citizens. Haitians on both sides of the social divide recognize the profound implications of the transformations underway, and are particularly susceptible to the politically volatile rhetoric of change. That this project of fundamental social change inspires such visceral and opposite reactions, depending on the self-identification of the observer with one or another "side" in this historically-determined asymmetry is an eloquent, if sometimes frightening, measure of just how deeply ingrained these divisions are in Haitian society and culture.

3 2 RECENT HISTORY

The Haitian political system is presently struggling to emerge from a ten-year period of protracted crisis. The crisis first developed during the waning months of 1985, and led to the fall of the Duvalier dictatorship and its presidency-for-life on February 7, 1986. From the end of the Duvalier regime to the installation of Jean-Bertrand Aristide as President in 1991, Haiti underwent a severe crisis of political succession, reflected in the passing of seven governments in six years.

During an initial period of social ferment, Haiti successfully organized a Constituent Assembly to draft a new constitution, and ratified the resulting charter by plebescite in March 1987. The interim government established a provisional electoral council and organized national presidential elections in November 1987. Despite tremendous voter turnout, massacres at the polls interrupted the balloting and derailed efforts to promote democratic governance. The next three years saw massive violations of citizens' rights, new elections rigged by the army, fighting between army factions, a series of military coups and the prolongation of provisional rule, with no resolution of the succession crisis in sight.

Under external and internal pressures, the last in a series of provisional governments presided over elections in 1990. As a result, Jean-Bertrand Aristide, the first democratically elected president in Haitian history, took office in 1991. During this period, Haitians also elected a full slate of lawmakers to both houses of Parliament, and almost 2,000 local government officials. Aristide's landslide victory reflected the growing strength of popular demands for social justice and political change. Less than one month after Aristide's election, right-wing elements sought to mount a coup which failed. This clearly reflected a heightened sense of growing political polarization - stimulated at least in part by the divisive rhetoric of the presidential campaign itself, but most certainly grounded in the traditional powerholders' reaction to the election's demonstration that a massive base of support for fundamental change existed among the poor and disenfranchised and could be tapped as a new source of national political power.

Supported by a small number of mercantile elite families, elements of the Haitian armed forces rose up against Aristide in a successful coup d'etat less than eight months after his inauguration, and ruled Haiti for three years. The army reinstated rural sheriffs (*chef seksyon*), whose positions had been abolished by Aristide, and thus abruptly undermined newly created entities of civilian local government in rural areas. The justice system ceased to function, and the army severely repressed freedoms of speech, association, assembly and the press. The country's poor majority, virtually all of whom were presumed to be supporters of Aristide, were subject to arbitrary arrest, beatings, confiscation of goods, murder and other politically motivated human rights violations. The army specifically targeted the media, peasant organizations, trade unions and urban popular movement groups, and mounted a brutal national campaign to suppress the vibrant civil society that had emerged in post-Duvalier Haiti (Americas Watch/National Coalition for Haitian Refugees 1993).

During the three years of *de facto* rule, democratic initiatives halted, went underground or into suspension. Military rule ended with the September 1994 intervention of a US-led multinational force and the return of Aristide in October 1994. Ironically, the operation to restore democracy to Haiti had originated abroad, and "upheld democracy" in a society with no significant democratic tradition, save for the as yet unfulfilled promise of some very recent advances - the Constitution of 1987, the experience of but one free and fair national election, and an activist, if sometimes undisciplined, civil society. Despite some still-vivid memories of a hostile invasion by the US Marines in 1915 and a 19-year American Occupation, the arrival of foreign military forces was generally welcomed at the time by the mass of the Haitian people, especially the exiled President's base of popular support among the poor and disenfranchised, who had borne the brunt of the three-year ordeal.

The past two years have been a period of momentous change. This period has seen the renewal of progressive civilian government, the practical abolition of the Armed Forces (as yet unratified by constitutional amendment), the establishment of an independent police force under civilian command and control, the reemergence of party politics and an active electoral process, and a momentous decline in the incidence of human rights abuses and politically motivated violence. In 1995, Haiti held two national elections, one for municipal and section council members and Parliament, and one for the presidency. Though marred by irregularities and disappointingly low voter turnout, these were nonetheless important steps in routinizing the democratic process. In February 1996, President Aristide passed the presidential sash to his democratically elected successor and former Prime Minister, President Rene Preval.

After the *de facto* regime's extended but ultimately failed attempt to block the transition to democracy irrevocably, these events signal a new beginning, and a dramatic break with Haitian political tradition. The peaceful transfer of power from one democratically elected civilian president to another was of signal importance. The installation of civilian government in rural communities is a historic innovation of perhaps even greater significance, although it remains only partially complete. The Haitian countryside has always been ruled as a military jurisdiction - without even the pretense of representative local government below the level of provincial towns. Newly elected parliamentarians have taken up their duties as lawmakers. They, and many newly elected mayors, are from diverse backgrounds, and include young men and women of peasant origin, many of whom have already served in grassroots leadership positions within civil society.

The legitimate government has initiated controversial changes in national economic and tax policy, including tariff reductions and privatization of parastatal enterprises. The government has also taken the first - and, not surprisingly, sometimes tentative - steps that will be required to reform the public administration and create a civil service, to reform the justice system, to implement effective decentralization and deconcentration, and to redefine the role of the state through governance reform. Policy development and implementation remain fraught with difficulties, stemming from the government's relative inexperience in the public sector and the burdensome task of having to build upon the shambles that remain after three years of irresponsible and voracious *de facto* rule.

The polarization of society continues. There is intense resentment of the new political order from opposition parties both within and beyond the democratic camp, and from traditional powerholders. There are charges of corruption and abuse of power in public administration. There is controversy over the presence of UN forces, the role of international donors and non-governmental channels for donor funding. The reestablishment of civilian government has been deeply affected by budgetary crisis, bureaucratic in-fighting, an inexperienced parliament with inadequate logistical and administrative support, unresolved issues of justice once more deferred, problems of both criminal and political insecurity, widespread economic hardship, and the difficulty of launching what are essentially new political institutions in what remains a highly politically charged atmosphere. Clearly, the system remains very much in transition - lurching from crisis to crisis while, hopefully, laying solid foundations for fundamental reforms and the new institutional arrangements that will be required to realize them.

3.3 THE WEIGHT OF HISTORY

Democratic innovation in Haiti confronts social structures deeply rooted in the past. As has already been noted, the sheer intensity of polarization in the political arena reflects the acute class stratification

of Haitian society. Politically, this social polarization continues to exercise an important constraint on the process of reform. Moreover, to this day the operational dynamics of government ministries remain largely unchanged, and continue to be characterized by patronage, corruption, bureaucratic inertia, poorly paid and poorly equipped functionaries, an absence of job descriptions and supervision, undefined program goals confronting intense but often discordant pressures from international donors, and the chronic problem of a high turnover in senior personnel affecting higher levels of decision making.

The apparatus of the Haitian state originated as an archaic system of highly personalized, authoritarian rule. It has long retained its limited institutional development as a "proto-state," with weak bureaucracies unable to provide either the full range of public services or the geographic spread of services generally associated with modern states. Traditionally, the Haitian state has had few functions beyond power maintenance, patronage, and the extraction of wealth from the countryside. It has long been singularly obsessed with the office of the President. The state's most elaborate bureaucracy - and the only one with a truly national reach - was the Haitian army. Despite conspicuous political instability during the inevitable crises of contested succession, the underlying character of the Haitian state has tended to be remarkably stable for nearly 200 years.

A democratic needs assessment of Haiti commissioned by USAID in 1989 (Zak & Smucker 1989) identified a number of persistent features of what may be defined as Haitian political culture. Reviewing these features provides useful guidance in identifying key priorities for DEP/CS program support. Where does the Haitian political system stand in light of these features - illuminated in the light of seven years' struggle, innovation and hindsight, and now more than a decade removed from the fall of the Duvalier dictatorship?

3.3.1 Succession Crises

The past decade has been deeply marked by a characteristic crisis of succession to power. The sheer length of this historically relatively open period facilitated important innovations and progress - a democratic constitution, free and open elections, and the burgeoning of civil society, particularly at the grassroots level, are among the most prominent. On the other hand, a democratically elected president was readily overthrown, and had to be returned to power by political and military forces *external* to the Haitian system itself. While still under the protection of international forces, power passed successfully from one democratically elected president to another, yet it is far from clear, at the time of this writing, that future orderly transfers of power will be able to take place without strong - and perhaps unattainable - international guarantees.

3.3.2 The Army as Supreme Arbiter

A very significant change in the system is the dramatic presidential initiative of 1995 to disband the Haitian armed forces (FAD'H). The army has always acted as the final arbiter of political destiny in Haiti, although until very recently only within limits set by the ruling oligarchy. The recent dismantling of the army may not, in fact, represent a permanent solution to this problem. First of all, legal abolition of the army requires a constitutional amendment. Secondly, even in the absence of the army, there may prove to be continued threats to the system from disaffected former members of the army and former paramilitary units (e.g., VSN, FRAPH and other so-called *attaches*). In the future, then, it is not inconceivable that there could be armed threats to the democratic process, either from old enemies or from new quarters, taking advantage of generalized problems of insecurity and a still-vigorous market in small arms and semi-automatic and automatic weapons to provoke destabilizing incidents.

3 3 3 The President as Strongman

The traditional system focused almost entirely on the office of president - centralized, personalized and authoritarian, with no effective checks and balances or separation of powers except, ironically, for the political role of the army. The presidency had a remote, almost deistic quality - representing the embodiment of the state with no clear distinction between state and government. The nation lived under the rule of men - indeed, usually of just one man - rather than a rule of law, with a virtual presidential monopoly on power. Heads of state consistently sought to prolong their prescribed terms of office, they were most commonly deposed violently.

At the national level of governance, significant progress has been made in implementing constitutional provisions for a dual executive, with an appointed Prime Minister approved by the Parliament, and an elected, bicameral Parliament to balance the power of the Executive Branch. There is an emerging separation of the roles of President, Prime Minister, and the state apparatus. Implementation of constitutional reforms has clearly shifted power away from the presidency, however, in order to assure checks and balances in the system, it is absolutely essential to establish both the Inter-Departmental Council and a Permanent Electoral Council, and to achieve fundamental judicial reforms, minimally including the establishment of an independent judiciary and a functioning justice system. The government has been slow to act on the recommendations of the National Truth and Justice Commission Report of 1995 regarding reform of the justice system, but is now working on necessary organic legislation and collaborating with international donors in this area.

At the local and regional levels, the central government has voiced support for decentralization as a matter of policy, though many of the steps to make it workable in practice have yet to be taken. Nonetheless, the administrative councils of local civilian government are in place, efforts to deconcentrate government services based overwhelmingly in Port-au-Prince have been initiated, and local government assembly elections are scheduled for sometime next year. These are significant reforms geared to broaden participation, and to distribute power more widely, away from the once monolithic presidency, and away from Port-au-Prince.

Local and departmental levels of government, once in place and operational, can be expected to provide another series of checks and balances on the misuse of power at the center. Yet there are important risks and challenges in this process. The central government has committed itself to "deconcentration" as part of the decentralization process, however, the central government has never previously committed itself to provide significant services *anywhere*, nor to be responsive to the needs of the "average" citizen, who is overwhelmingly poor, hard-pressed and un- or under-employed, in both rural and urban settings. Thus, the task at hand is far more complicated than that of deconcentrating and decentralizing existing institutions and services. Rather, it is fundamentally a question of creating a functional, decentralized state, *de novo* - ensuring representative government at all levels, assuring responsive local government, and providing basic public services, either directly or through private-sector intermediaries, to all citizens.

Despite important reforms, the Office of the Presidency continues to be extremely powerful. Formal separation of roles is not always matched in practice by dispersal of power and authority. There are different factions in Parliament, but there is no clear base of political opposition to the sitting president, at least not from beyond his own relatively diverse party. In 1995 elections, the electorate showed somewhat more interest in the essentially local contests for section and communal councils and parliamentary deputies than in departmental and national contests for senators and the presidency. This speaks well of the citizenry's vision for local control of local matters, and direct participation, however,

it may also bespeak a certain lack of interest in the required rotation out of office for an immensely popular president who was prohibited under the Constitution from seeking a consecutive term. Indeed, there remains a compelling fascination with the former president's charismatic voice, perhaps even provoking something of a popular nostalgia for the president-as-strongman phenomenon, rather than an informed interest in the new role(s) and constraint(s) that confront the current president as he seeks to make real the Constitution's promise of fundamental reform.

3.3.4 Urban Dominance/Rural Hinterland

The longstanding relationship between urban and rural milieu in Haiti is one in which rural Haiti is a virtual colony of urban-based elites and their agents, both public and private. Few public services exist outside of urban centers - and even these are highly concentrated in the capital metropolitan area - with the exception of a limited network of rural public schools. The national political process has long been defined by events in Port-au-Prince. The sole agents of the state in rural Haiti have always been military. In rural Haiti, people's prior direct experience of *leta* and its representatives has been decidedly non-participatory, and openly repressive.

This situation changed dramatically with the dissolution of the army and the abolition of its rural section chiefs after the return of constitutional rule, and with the implantation of new entities of civilian local government in rural Haiti. Nevertheless, there is a significant problem of continued dependence on Port-au-Prince, particularly in fiscal matters.

There is also a significant risk of newly elected CASEC officials reverting to old *chef de section* patterns of authoritarianism, corruption and disdain for individual rights, particularly as they face unprecedented levels of criminal activity and public insecurity even in the most rural of sections, and are forced to operate without a police or other legitimate civilian security force present - and in the absence of appropriate guidance, training or resources for pursuing their own mandates under law⁸. This time, of course, it will be the image of representative local government itself that will ultimately suffer from such abuses, where they occur, rather than that of the army.

In April 1996, the government promulgated a new law finally defining the framework for civilian local government at the lowest jurisdictional level in rural areas - the Administrative Council of the Communal Section (CASEC), and the Assembly of the Communal Section (ASEC). Despite this enabling legislation, the formal definition of new entities of local government is not grounded in a base of practical experience with local, participatory self-government. Nor does the existing legislation clearly define either the division of roles and responsibilities between the CASEC and ASEC, between these entities and their counterparts at the municipal and departmental levels, nor the expected relationship between these government entities and elements of local civil society. Rural governance risks turning into a hollow promise, devoid of content, unless it is supported by practical, working definitions of roles and responsibilities, the delegation of *genuine* authority to local governing bodies, and the budgetary and fiscal provisions required to function, provide essential public services, and resist corruption.

There are also important jurisdictional issues. The defining legislation takes for granted the sociopolitical validity of the borders of the old rural sections, for example. These borders were initially

⁸For some unfortunate instances, please refer to the monthly reporting of the Human Rights Fund II.

established as military jurisdictions. They do not reflect the existing social boundaries of local neighborhoods, or locally defined communities of shared interest. In fact, communal sections are sociologically subdivided into myriad localities, or *abitasyon*, each with its own special problems, concerns and interests vis-à-vis other localities in the same section. Not a few of such localities also overlap existing section borders, which were originally imposed essentially arbitrarily by the army for its own purposes.

This poses serious problems in meeting constitutional goals of genuine local representation and participation, and the effective mediation of authentically local concerns and interests, problems which can only be exacerbated by the imposition, in the recent law, of Assembly elections based on *cartels* (slates) of candidates rather than on individual candidacies for local office. To diminish these risks, and their impact, it is imperative that grassroots peasant organizations be continuously engaged with the representatives of local government - as interested, informed constituents and appropriate civil society interlocutors.

At present, it remains the case that the preponderance of political power, financial resources, and public sector employment flows from the center outward. Greater progress has been made in decentralizing offices, through the election of local council members, than in deconcentrating public resources and services. There is also a risk, as has already been noted, of relegating democratic participation to local matters. System reforms must assure that grassroots interests are also adequately represented at all levels in the national policy-making arena. There is a certain risk in the proliferation of parallel lines of authority linking local communities to the national political system, including regional and local *delegates* directly representing the interests of the national executive, parliamentary *circonscriptions* (electoral districts), and the complex hierarchy of local and regional councils and assemblies. An excessive proliferation of poorly animated structures could well fragment rather than channel grassroots representation in the national political process. In this context, membership-based local organizations and peasant federations could play an important facilitative and watchdog role.

In general, there is an inherent risk of new forms retaining old patterns of top-down authority which support urban hegemony, rather than being infused with the energy of democratic participation from the base, as was clearly intended by the framers of the 1987 Constitution. For example, assigning primary responsibility exclusively to the Ministry of Interior for political, administrative, electoral and fiscal relations with local and regional governments runs a considerable risk of failing to represent grassroots interests adequately. Rather, given the deeply-rooted historical precedents, this highly centralized approach might well be expected to support vested national political interests and retain power at the top of the system.

3.3.5 Winner Takes All: Intolerance of Opposition/Inadmissibility of Defeat

The traditional Haitian regime operates on the basis that it must be all powerful or it will fall from power. The notion of a "loyal" opposition is alien to this system. Thus, the traditional strategy has always been to seek a total monopoly of power, and to eliminate all political space for opposing views.

There has been progress in this area, especially in holding elections and implementing key provisions of the constitutional agenda for reform. Haiti presently enjoys basic freedom of speech, of association, and of the press. Ultimately, however, rights of self-expression, including opposition views, cannot be adequately protected without the ability to assure rights of due process. Greater progress must be made in assuring a functioning administration of justice.

In general, the return to constitutional government has been accompanied by a dramatic reduction in the incidence of human rights violations, and generalized improvement in levels of personal security. Nevertheless, there are still human rights problems, and ample violations of due process. It is essential to continue human rights monitoring and reporting, to improve police training including additional training in community relations and human rights, to promote heightened restraint by the police, and to provide alternatives to the growing incidence of recourse to weapons and other lethal force, to create active programs in police-community relations and partnerships, and to clarify the respective roles of police and civilian local officials in maintaining public order and channeling citizen complaints. It is highly unlikely that there will be significant improvement in solving these problems unless civil society organizations become actively engaged.

In the realm of politics, there needs to be greater opportunity for public debate of national policy issues, and sufficient political space for credible opposition by rival political parties. The press should play a stronger role in investigation and reporting. The government should take greater pains to diffuse information and to seek civil society consultation proactively.

Political parties still tend to be dominated by urban-based personalities and interests - even when operating in the name of the rural poor, or other regional constituencies distant from the capital, although the 1995 local and parliamentary elections suggested that at least some individual candidates, running as independents, were beginning to emerge from local civil society leadership roles to represent the interests of their constituents directly in electoral politics (see Maguire 1996 and discussion in section 5.3 below). Parties continue to stress personalities over ideological platforms. Whether in or out of power, they are plagued by a winner-take-all mentality which stifles debate. The overall degree of polarization makes it difficult to create a new tradition of *loyal* opposition to the government. Insiders seek to dominate all political space, outsiders stress partisanship over reasoned debate and compromise. The resulting, highly partisan, character of political discourse tends to discourage the entry of civil society into the open, public realm, and to reduce government willingness to engage in democratic debate in general.

In this politically charged atmosphere, there is a risk of stalemate in the quest for reform and a more open society. Consequently, there is an urgent need for nonpartisan associations of citizens to launch a middle ground of debate, focused on issues whose resolution goes beyond partisanship and the latest rivalries for power. It is imperative that civil society take the initiative to dampen the persistent tendencies toward blind opposition, on the one hand, and authoritarian styles of governance, on the other, at both local and national levels.⁹

⁹An important constraint on nonpartisan civil society organizing is the absence of juridical status for most grassroots, membership-based organizations. In effect, there are inadequate legal protections for the freedom of association when it is expressed in relatively informal modes, and some unnecessary limitations imposed on the functioning of nongovernmental service organizations (NGOs). Recently, the government sought to impose even stricter controls on freedom of association in proposed legislation prepared by the executive, but then opened up the issue to further discussion and input from civil society leadership. This is a laudable step in the right direction. Indeed, government should reorient itself to view civil society organizations of all stripes as partners rather than competitors. It is essential to promote new legislation which better protects the rights of civil society organizations, and creates the means for grassroots, membership-based organizations to attain legal recognition.

A parallel challenge is for government to take the initiative to promote, rather than to discourage, pluralism, to open itself to responsible forms of petition, and to create new opportunities for dialogue and consultation with the broadest possible community of citizens outside of government

In principle, civil society organizations and constituencies are well placed to facilitate this process. In practice, civil society will have to monitor government performance in this crucial area closely. Should government prove either unwilling or unable to engage civil society in this new and constructive relationship, it will be incumbent upon civil society itself to take independent action in order to increase pressure for its systematic inclusion in the reform process underway, and for government responsiveness and transparency both in general and on particular issues

3.3.6 A Predatory State with Weak Public Institutions

Traditionally, the primary functions of the state have been to extract wealth and to extend patronage. Access to the state was viewed as a business opportunity. The state was not viewed as a provider of public services, either by those who controlled it or by those whom might otherwise have benefitted from its proper functioning

The opportunities for predatory extraction have been somewhat reduced by certain reforms in public administration, changes in tax and fiscal policy, and the closure of some state monopolies and parastatal enterprises. Nevertheless, people from a broad spectrum of political views commonly express strong skepticism of the state and its capacity for permanent, thorough reform. It is common to hear charges of corruption and abuse of power. On the other hand, the masses of common people are deeply interested in the possibility of real social change, and the unprecedented opportunity for widespread participation in governance and economic life, the demand for efficient public services is quasi-universal

There is intense competition for government jobs, however, candidates for employment still appear to be recruited less on the basis of competence than through personal and political ties. There is a great need to establish a stable, merit-based civil service which can be insulated from the dynamics of political patronage and the potential for corruption in recruitment. There is equally a tremendous need for greater continuity among higher level decision-makers in positions to influence and implement policy. The state has made little progress in deconcentrating services, or generating the means to provide public services at all (education, health services, potable water, irrigation systems, roads, maintenance), especially outside of Port-au-Prince. In terms of democratic reforms, it is evident that the government has been far more successful at the creation of formal commissions (truth and justice, agrarian reform institute), new ministries (women, environment, diaspora), and new laws and decrees, than in enforcing laws, implementing programs, providing public services, or engaging in a constructive dialogue with civil society

3.3.7 Absence of Personal Security in Politics

Traditionally, active participation in politics, especially in the opposition, has involved great personal risk, including the threat of arrest, injury and loss of life

Problems of personal security have dramatically abated since the era of *de facto* military rule, however, there are still grave problems of security in politics, both inside and outside of government, and in the broader community. Neither the Haitian government nor UN forces have effectively disarmed former soldiers and paramilitary personnel, and the apparent continued proliferation of small arms, semi-automatic and automatic weapons bodes ill for the future. It is still all too common to hear particular

positions both within and outside of government referred to - quite seriously - as "*djòb s kò*" (literally, "coffin jobs"), or to have a particularly controversial issue deemed off-limits because it implicates "*mòd m*," or "the death of men "

3.4 THE CONSTITUTIONAL AGENDA FOR REFORM

The preamble to the Haitian Constitution of 1987 grounds itself in two basic earlier charters - the Haitian Act of Independence of 1804, and the Universal Declaration of Human Rights (1948) - Its explicitly stated objectives include

- ◆ "the establishment of democracy , ideological pluralism and the orderly transfer of political power," and
- ◆ "national unity, eliminating all discrimination between the urban and rural populations, by the acceptance of the community of [national] languages and culture, and recognition of the right to progress, information, education, health and recreation for all citizens "

The preamble mandates a form of government based on fundamental liberties and respect for human rights, social peace, economic equity, consultation and participation of the entire population in the process of governance

The Constitution sets a sweeping agenda for democratic reform, and marks a bold and deliberate break with the past - The new national charter focuses strongly on the rights and duties of individual citizens (Title III) - Title V asserts that

- ◆ "National sovereignty inheres in the collectivity of its citizens "

Clearly, the framers of the Constitution were seeking to redress the most glaring weaknesses and inequities of previous governments and the state, especially the recently deposed Duvalier regime - In addition to its strong emphasis on guaranteeing the rights of citizens, the preamble explicitly highlights the framers' intentions to rectify

- ◆ **the fundamental weaknesses of a highly personalized, authoritarian power structure**, by calling for a strong and stable state based on the separation of powers, and service to the nation,
- ◆ **the virtual absence of open, democratic debate and rule-governed political behavior**, by calling for ideological pluralism and orderly transfer of power,
- ◆ **the profoundly asymmetrical dualism of center and periphery**, by calling for the elimination of all discrimination between urban and rural populations,
- ◆ **the alienation of civil society from the state**, by calling for broad consultation, and participation of the entire population in national decision-making

Specific institutional reforms prescribed by the Constitution to address these concerns include

- ◆ *decentralization and deconcentration*, based on the autonomy of municipalities and the nine geographic departments, and establishment of elected, civilian local government in rural Communal

Sections,

- ◆ *restructuring the executive branch*, with power shared between President and Prime Minister, limitation on presidential prerogatives, and prohibition of consecutive terms of presidential office,
- ◆ *reestablishment of a bicameral legislature*, elected by direct suffrage, with real powers of scrutiny and sanction over the executive - including the President,
- ◆ *establishment of a career civil service*, based on merit and job security,
- ◆ *an independent judiciary*, with fixed and inviolable terms of appointment, and establishment of a magistrates' school,
- ◆ *creation of new and autonomous national institutions with broad, putatively independent, powers of oversight and redress*, including the Permanent Electoral Council, the Conciliation Commission, and the Office of Citizen Protection, and reaffirmation of the autonomy of the High Court of Administration and the public university system,
- ◆ *creation of an Inter-Departmental Council*, to bring rural, provincial and regional concerns directly to the attention of the national executive, through regular participation at Cabinet-level meetings
- ◆ *creation of a National Institute of Agrarian Reform*, to restructure the land tenure system and institute reforms to benefit those who actually work the land,
- ◆ *separation of military and police functions, and creation of a civilian police force under the control of the Ministry of Justice*
- ◆ *establishment of an obligation of civic service for all citizens*, through a national service corps to be created for this purpose

After the costly hiatus imposed by the military coup d'etat of 1991, implementation of constitutional reforms has been resumed or initiated under the stewardship of democratically elected, pro-reform officials at every level of government

Most of these fundamental systemic reforms are supported by international donors as well as national and local officials. Few have as yet drawn the concerted attention of civil society, which has for some time been more focused on the agenda for economic reform and, in the case of political parties specifically, electoral processes, being pursued by the new government

One thing is abundantly clear at this point, however. The groundwork for implementing these reforms will be laid over the course of the remaining five years of the current presidential mandate. Decisions of momentous import for the future of the nation are already being taken, virtually on a daily basis. It is therefore absolutely critical that inclusive, informed, and in-depth public deliberations - of proportional moment and standing - be undertaken to inform the crucial and portentous choices that are now before the nation. To do so would go a long way in immediately realizing what is inarguably the intent of the 1987 charter. Conversely, to neglect such an opportunity and obligation may well be tantamount to

rendering its long-delayed promise devoid of substance and meaning from the outset

4 SETTING PROGRAM PRIORITIES A STRATEGIC PLAN

4.1 DISCERNING THE TARGET

In its broadest and most basic sense, the notion of civil society refers to all forms of associational life existing between the family and the state. This is a vast expanse, stretching to subsume virtually all of organized social life beyond the privacy of hearth and home, except for that portion of the public domain that is clearly occupied by the state. Civil society thus begins where the household leaves off (i.e., where the individual emerges from his or her immediate family unit to join groups that are simultaneously of broader scope and narrower focus), and finds its only inherent limits where it confronts the agency, and agents, of government proper.

Yet such generic conceptions of what civil society is, and how it works, are inherently limited in terms of their practical value in guiding the allocation of scarce resources to "civil society strengthening" as part of an overall democracy development strategy. The primary task of any civil society assessment, then, must be to move from the general to the specific, and to do so by way of an analytic framework that seeks to define and delimit the scope of civil society support efforts *strategically*, i.e., in response to the distinctive challenges and opportunities presented by country-specific circumstances at any given moment in the democratization process.

This assessment has thus far attempted to define some of those challenges and opportunities in the Haitian historical, cultural and political context, and will now proceed to develop an analytic framework, entailing three, cross-cutting **scales of priority** that, when taken together, clearly indicate a strategic and tactical direction for civil society strengthening in today's Haiti.

The scales of priority being proposed are based on the following three considerations:

(1) What are the priority **functions** of civil society that need encouragement and/or reinforcement at the present time in Haiti?

(2) What are the priority **issues**, or topical areas of concern, that should command civil society's attention at this time?

(3) What are the priority sectors, or segments, of Haitian society whose participation in and commitment to the democratic transition need to be expanded and confirmed at this stage?¹⁰

By making a case for the specific priorities to be established along each of these three scales, or axes, this assessment thus attempts to bring into sharp focus the contours of a multi-dimensional civil society support program - one that, in its particulars, will both maximize civil society's potential contributions to the democratization process as it is currently unfolding in Haiti and, simultaneously, enhance the prospects for further evolution of key sectors of civil society as the democratic transition is realized and consolidated

Figure 1 (p 56) presents this analytic framework for weighing civil society priorities graphically, showing the cross-cutting scales that provide the key elements of strategic planning for furthering the democratic transitions. Assessing priorities along each axis serves to sharpen the focus of program outreach and maximize both the contributions of civil society and the participation of government in the transition process. The locus of priority civil society initiatives for this project is at the three-way intersection where key sectors effectively engage government on urgent issues of system reform

4.2 FUNCTIONAL PRIORITIES: THE CONTINUUM OF ENGAGEMENT

Civil society's roles in a democracy tend to fall somewhere on a continuum between two extremes: full and active *engagement* with the state, in a variety of arenas and capacities, on the one hand, or full functional and programmatic *autonomy*, on the other, eschewing such involvement with the public sector in favor of self-reliance. At one pole of this continuum, civil society functions as the state's primary interlocutor, or correspondent - engaged in an ongoing dialogue with state power and its agencies at a variety of levels, and it serves variously as partner, advocate or adversary, depending on both broader circumstances and the particular issue or issues at hand. At the other pole, civil society represents the principal independent counter-balance to state power - offering effective alternatives to government-run programs across a wide range of domains through civic action, thereby both limiting the expansion of state power into inappropriate arenas and reducing the overall level of societal demands and dependence on government.

Where a relatively secure, non-democratic regime chooses to ignore even its most basic social

¹⁰A fourth possible factor, or criterion, is frequently applied in similar efforts to delimit the scope of planned civil society support initiatives, i.e., which existing civil society organizations currently have the absorptive capacity and sustainability potential to warrant significant institutional development investments from external donors? or, conversely, which sectors are already institutionally developed to the point that they present identifiable organizations of an appropriate scale and representativity to work with as partners or beneficiaries? It is one of the central contentions of this assessment that the application of such considerations at this time in Haiti, either alone or in concert with other priorities/criteria, is inherently restrictive, and would unduly limit the ability of the Contractor to respond aptly, flexibly and in a timely fashion to critical needs, issues and opportunities as they emerge. Under today's circumstances, it would also severely limit the range of potential civil society actors and organizations that might otherwise be expected to benefit from project initiatives. This, in turn, implies a shift in focus from institution building, per se, to other modes of intervention and assistance.

responsibilities - as was clearly the case during the Duvalier era, and across much of the rest of Haiti's history as a nation - civil society's most important functions will tend to cluster towards the "alternative to government" end of the continuum, primarily working to provide basic services and establish a social safety net to the extent possible, even as occasional opportunities to challenge or confront the state are exploited

Where a democratic order has already been consolidated, a similar emphasis will likely emerge, not at the expense of civil society's still-important advocacy and watchdog functions, but as the dominant expression of a system already in equilibrium, where civic and governmental initiatives complement each other in a relatively stable partnership, under mutually understood and predictable conditions

Where the democratic transition is in full-swing, however - where issues of governance and governance reform dominate the public stage - civil society's crucial role, properly performed, must surely have as much to do with *engaging* government in mutually shaping and giving substance to this process and, even more importantly, in safeguarding its course and implementation

During democratic transitions, then, civil society's concerns vis-[^]-vis government cluster around the reform process itself. In later stages of the transition, and once democracy has been relatively firmly established, civil society's relationship with government remains equally critical, but is more likely to focus on sectoral policy issues or more parochial sector-specific concerns, on the maintenance of government accountability, and on pluralistic competition for resources controlled by the State. Also, at this later point, a goodly portion of civil society's energies may profitably turn (or return) to a broad range of autonomous initiatives that have nothing at all to do with governance *per se*, except insofar as they define whole areas of activity/concern where government involvement is neither necessary nor advisable

Recent USAID guidance on this issue is unequivocal. The Agency's Implementation Guidelines for democracy programs identify the "increased development of *politically active* civil society" as one of four Democracy and Governance (DG) Agency Objectives, and emphasize the direct engagement of civil society in reform and policy issues during democratic transitions. Without gainsaying the important contributions that myriad other kinds of civil society activities may make to the smooth functioning of a democratic society - in terms of service provision, self-help and leadership development, for example - these guidelines do explicitly exclude assistance to the broad range of civil society organizations (CSOs) engaged in such essentially *apolitical*¹¹ pursuits from the DG agenda

" USAID assistance for CSOs whose primary purpose is service must be attributed to the Agency Objective most closely aligned with the primary purpose of the support. Funds to support politically active CSOs should be attributed to the DG objective" (USAID 1996 3)

More detailed guidance concerning "Policy and Implementation Options for Civil Society Programs in USAID" is being prepared by USAID's Bureau for Policy and Program Coordination's Civil Society

¹¹The term *apolitical* should not be confused with *nonpartisan*, which describes an explicit political stance in the public domain. Thus, nonpartisan CSOs that are politically active are precisely those that are targeted by DG assistance to civil society. Conversely, partisan political groups, including most prominently political parties, are excluded on the grounds that their primary goal is to seek and hold state power, rather than to influence its exercise by others (Hansen 1996 3)

Reference Group on the basis of the findings of a comparative evaluation study entitled "Constituencies for Reform Strategic Approaches for Donor-Supported Civic Advocacy Programs" (Hansen 1996). A draft circulated earlier this year goes even further than the Implementation Guidelines, holding that

"For the purposes of allocating scarce democracy sector resources, *support for civil society should focus on those non-state organizations that are engaged in or have the potential for championing the adoption and consolidation of democratic governance reforms*" (USAID n d 2, emphasis in the original)

This guidance adopts a terminological distinction originally suggested in the Hansen study, referring to such politically active organizations engaged in or with the potential to engage in the governance reform process as "civic advocacy organizations" (CAOs), because they "advocate, educate, and mobilize attention around major public issues" (Hansen 1996 3). Civil society organizations more broadly are referred to as CSOs, irrespective of their level of engagement in the public domain. CSOs with juridical status and relatively formal institutional arrangements are most commonly referred to as nongovernmental organizations, or NGO's

The latter type of organizations, whose purposes have to do with economic and social development, service delivery, humanitarian assistance, and even self-reliance and self-governance in domains where the state is not active - and who, historically, represent the vast majority of non-state recipients of USAID assistance in all other sectors - are *explicitly excluded from support under the DG goal and objectives*. Likewise, generic NGO-support projects and conventional development initiatives being implemented by NGO's and/or community-based groups with USAID assistance are excluded¹²

Thus, there can be little doubt concerning where on the "continuum of engagement" the bulk of any civil society support offered within the context of a democracy and governance program, and in the midst of a democratic transition, should be targeted. The focus must be on civil society's active engagement in the reform process itself. Where that engagement can be expressed in productive consultations with a reform-minded government, it is likely to be most effective, and mutually beneficial, where it cannot be, it remains incumbent on civil society to drive the reform process forward and responsibly press for government responsiveness. Haiti - with many of its public sector actors today essentially committed to a reformist agenda themselves - is perhaps a particularly apt venue in which to explore the potentialities of this partnership for reform.

4.3 SECTORAL PRIORITIES INCLUSION AND SECTOR-SPECIFIC SUPPORT

The historical dimensions of the major fissures that cleave Haitian society into separate but unequal parts have already been explored. Their implications for meeting today's challenges are - in the absence

¹² Two extremely important exceptions to these exclusion are made

- Where such groups (i.e., development NGOs and/or community-based groups) also assume the role of public advocacy, they may be included in the DG framework
- Where part of the democratic reform agenda itself includes encouraging a host-country enabling environment that favors the emergence, growth and sustainability of a vigorous civil society generally, and thus benefits all kinds of non-state organizations, especially the formal (i.e., state-regulated) NGO sector

of that salutary hindsight that gives us the impression that we "understand" history - more perplexing

On the one hand, it has properly been noted that the very legitimacy of the state requires a new social contract, based on "the participation of Haiti's majority in deciding the fate of the country," and that "Haiti remains fundamentally a country of poor peasants" (Trouillot 1994 51) *Their* resurgence of interest in matters political, after at least a century of stubbornly adaptive and remarkably successful *mawonaj* is perhaps the most potent - but in many ways also still the most fragile - achievement of the transition thus far. The infusion of their aspirations and energies into Haitian civil society over the last decade may well be the only grounds for hope that the fundamental problems plaguing this nation will one day be resolved.

On the other hand, it is more patently obvious with each passing day that the country will not - indeed, cannot - move forward without both the assent and involvement of its other classes and sectors. Their contributions are absolutely necessary, if not sufficient, in taking up the task at hand, their misgivings and potential withdrawal or opposition are demonstrably capable of arresting the transition process itself.

Thus, inclusion is the sole option. The reintegration of the powerless *and* the reenlistment of the powerful in the currents of national life at this most critical juncture must occur simultaneously, and ultimately depend upon each other. Failing this, the risk is of losing *both* elements to a revived form of *mawonaj*, with its attendant resignation and withdrawal, and to be forced to watch as the earlier momentum of the transition ebbs, irrevocably.

What may be required for this national process of inclusion to occur is, not surprisingly, different for each particular sector of civil society, depending upon their current perspectives and prospects. In general terms, however, all sectors need to be afforded a "stake" in the reform process. The minimal requirement for establishing such stakes is that each and all can lay claim to - or have a sense of ownership of - some portion of both the substance and the benefits of reform itself, no matter how small. To develop this sense of ownership, all sectors need to be confident that their own concerns and contributions are being represented in the national decision-making process, that they are somehow present, if not physically then at least through this representation of their interests, when the issues are being joined. Haitians would say they need "to recognize themselves" in the process.

For the powerful, this means being brought into the reform process at every turn, and in every venue, with no exclusive preserves or closed consultations reserved for the newly enfranchised alone. For the powerless - at least until such time as the constitutionally mandated institutional mechanisms that guarantee them representation, protection and redress are in place and fully operational - recognizing themselves in the process will also depend most heavily on exactly what happens in the open, public realm, on civil society's capacity to articulate and represent their interests in this arena, up to and including the national level, and on the media's skills in capturing and re-transmitting this representation and its results in professional, informed, but readily apprehensible, coverage of public events.

The faithful, and thus credible, representation of the collective interests of the newly enfranchised in the open, public realm will continue to be an issue even after the institutions designed to transpose their individual voices to the national stage - Parliament, the Inter-Departmental Council, a properly managed *delegates* system, a functional Office of Citizen Protection and other accessible means for redress of grievances against the state and its agents - are in place. This will be the case, in fact, until the *organizational* articulation of their component sectors is sufficiently developed, both vertically and horizontally, to ensure that national-level leadership cadres are able to emerge from their base in

grassroots membership organizations without, at the same time, losing touch with that base

"Women and other vulnerable" sectors are singled out repeatedly for special attention by the DEP/CS, in both the DEP Amendment and USAID/Haiti's bilateral DEP Grant Agreement with the GOH. In light of the foregoing historical and cultural analyses, it should be clear that in Haiti, at least, these so-called "vulnerable groups" - which in many other emerging third-world democracies might include tribal, ethnic or other minorities - are precisely those key sectors of civil society representing *majority* grassroots interests discussed immediately above

Therefore, the DEP/CS will complement its core strategy of full inclusion of all interested sectors in the open, public realm - to be implemented through its national dialogue and information campaign programs (see Workplan) - with sector-specific subgrants designed to remedy some of the organizational weaknesses and exploit current potentials for improving the organizational articulation of grassroots, membership-based civil society groups among the peasantry, urban poor and women. Each of these sectors has its own needs, and faces both significant constraints and opportunities. These are analyzed in the following chapter on a sector-by-sector basis

4.4 TOPICAL PRIORITIES: MARRYING THE NECESSARY WITH THE POSSIBLE

The necessary and appropriate engagement of civil society, with government at all levels, in the national reform process, has already been postulated and explored at length. The prioritization of system reform issues among all possible issues that might command DEP/CS attention at this point in the transition is thus already a given. There remains, however, a need to determine, in close collaboration with the CCH, USAID/Haiti and the GOH, which specific issues are to be taken up by the national dialogue and information campaign programs, and in what priority order.

The assessment team has developed a simple diagnostic tool to assist in this determination, and it is one which can be brought to bear repeatedly to reassess priorities for program intervention as the transition process and political situation evolve, and as feedback on program implementation is evaluated. The tool, which is illustrated in Tables 1 (blank [p. 57]) and 2 (with illustrative "scoring" of current issues [p. 58]) works on the basis of clearly established but only qualitatively appreciable criteria for scoring the priority and appropriateness of particular topics for attention by civil society supported by the DEP/CS.

Guiding criteria are necessary to identify critical issues and topical areas at any given moment in the transition process. These criteria must not only be grounded in principles of democratic governance overall, but also sensitive to the ebb and flow of current events and concerns. The criteria should serve as a reality test to sift out critical issues, and identify realistic opportunities for demonstrating the positive potential of civil society's active engagement in the reform agenda. In this sense, the tool is tactical, helping decision-makers to weigh the potential utility - and potential fallout - from opting to take up a particular issue at a particular time. The simple, suggested criteria to be applied to potential topics are as follows:

(1) **Relative urgency or risk** In real terms, what is at stake in a given issue? How fast does it require resolution? And what are the risks of leaving it unresolved, even temporarily?

(2) **Civil society's potential contribution** Is the issue one in which civil society's engagement - coming in the form of either applying pressure (P) for satisfactory resolution or providing substantive input (S), or both - is a real imperative, or could potentially turn around a currently negative outcome?

(3) **Expectations, or *attente*** What is the degree and tone of current public expectation concerning addressing and resolving the issue? Is it a burning issue right now? In selected local or regional venues, or nationally? Are expectations running positive or negative concerning the way the issue will be handled?

(4) **Opportunity for effective government response** What is the government's realistic room for maneuver in handling the issue? Does government have the political space and/or bureaucratic capability to actually be responsive to civil society pressure and/or input on a given issue? Are there potential interlocutors and even co-conveners in government with interest in the issue? Are there reasonable grounds to expect satisfactory governmental response based on the government's own vested interests, either positive or negative? Is there sufficient internal coherence in government on the issue to support an effective resolution/response/strategy?

(5) **"Depth" of the issue itself** How profoundly is the issue implicated in the overall reform process? Does it touch upon the fundamental rules-of-the- game, at the heart of democratic governance reform, or does it lie at a somewhat "shallower" depth, with little potential impact on the substance of the reform process itself? If it is essentially a "sectoral" issue rather than systemic, what may its resolution contribute to systemic reforms, and how?

The presenting issues should be screened on the basis of these criteria. Urgent social and political issues, once plotted on the criteria-based grid, can be reviewed and analyzed in group consultative sessions. More limited "menus" of possible next topics for national dialogue series and/or information campaigns will then emerge. The criteria need not all be met in each case to justify program activity, but if a given issue scores strongly and positively on two or three criteria, then it attains high profile as a priority. Issues attaining priority status will likely entail a convergence of interest between what is deemed necessary in the interests of transition and reform dynamics, and what is feasible from the point of view of both civil society's input and government's disposition and capacity for response.

Obviously, there are limiting factors, both practical and political. At the present time, strident criticism of the privatization of parastatals from some quarters, for example, may have created a highly negative expectation in the public eye, but the GOH lacks much more room for maneuver on the issue due to its prior commitments to privatize. This then may not be an appropriate topical theme for open-ended consultations, but probably is a particularly strong candidate as the object of a substantial and well-balanced public information campaign to explain government's position. On the other hand, issues of public order and criminal insecurity in Haiti are currently marked by a high level of urgency, are clearly an enabling condition for progress on other fronts, and a major constraint to progress in all areas if not resolved, have a high profile in the public eye, have potential governmental interlocutors, would enhance government credibility if addressed with even partial success through civil society consultations and community/police collaboration, and relate directly to basic systemic reforms in the area of human rights and justice. Therefore, security issues match virtually all criteria as a high priority for DEP/CS attention in the near- to medium-term.

5 KEY SECTORAL ANALYSES

5.1 A NEW SOCIAL CONTRACT FOR HAITI

The constitutional mandate for system reform is unmistakable. The challenge is for government to function in accord with the 1987 Constitution, and meet the demands of an evolving democratic society. In order to gain credibility in a general climate of skepticism, new institutions of governance must define practical roles for themselves, and move quickly to provide tangible services. The primary challenge for government is to implement this program in concrete ways, and close the gap between rhetoric and reality. In the end, no sitting government could possibly implement such a program without at least the tacit support of the broader community of citizens and the active involvement of the organized elements of civil society.

In general, relationships between government and civil society in Haiti today are colored by polarization and remain in flux. Haiti lacks experience with formal structures of democracy. All participants, from the president to the man or woman in the street, are new to their roles and responsibilities. New opportunities for civil society occur in a broader political climate of intolerance rather than accommodation, and distrust in lieu of collaboration.

The adoption of a progressive constitution and the resurgence of civil society following the three-year coup are unparalleled accomplishments. The resilience of the Haitian people under the coup, and their enthusiastic participation as voters and candidates for office, are clear expressions of popular interest in building a democratic society. Among the masses of the electorate, there is continuing evidence of hope for change. There is unquestionably an emergent sense of national citizenship among those who have long been marginalized.

An urban-based poll conducted in May 1995 yielded the following observations: (1) a large majority of Haitians committed to democracy, but generally unable to cite specific responsibilities of citizens, (2) opinion strongly divided on whether Haiti was already a democracy, or even on the right track toward that goal, (3) an overwhelming level of popularity for the President, and, (4) a majority of citizens who felt reconciliation was possible, but remained doubtful about the President's ability to resolve the state of the justice system (USIA 1995).

Despite the return of constitutional government, people's perceptions of "democracy" remain vague and poorly understood. For common citizens, democracy may simply mean the hope of access to jobs and food, and greater personal security. The economic imperative is undeniable, especially for vulnerable social sectors. For some, however, democracy simply represents an opportunity for rotating access to the spoils system which has always defined government "service." For others, it is freedom without responsibility. To some, the long history of oppression seems alternately to justify the fury of the mob, or its disengagement from public affairs. Powerlessness apparently obviates the need to act responsibly.

People in general look to the central government to supply material benefits, and assume that the state has limitless resources. For many, there is a patron-client expectation that a government which rules in the name of the masses should somehow, personally, take care of its client-followers even as a father cares for his children. This notion is personalized in terms of the "Good Leader," the former president with the charismatic voice of change, or his designated successor. The "Good Leader" is encumbered by "Bad Government." People commonly assume that government is corrupt, functionaries are profiting personally, and blocking the flow of goods and services to their intended beneficiaries. The operating

assumption is that government in a "democracy" will only respond if pressured hard enough or directly threatened

Especially in urban areas, this notion motivates pressure groups to undertake aggressive forms of direct action against national government offices. This may result in the closing of ministries, barricades in the street, wildcat strikes, and painful interruption of public services. In effect, this strategy is based on a long history of state oppression, and the continued absence of normal institutional channels of redress. Therefore, having regained freedom, many popular organizations exercise their newly found freedom against government, and proceed directly to aggressive action rather than lobbying, building partnerships, or working out solutions based on verifiable information and joint planning. In effect, there is no middle ground. Clearly, this is a product of longstanding exclusion, inexperience with civil society roles going beyond confrontation, and continued frustration with both the government's apparent inability to address specific problems and the inability of common citizens to affect the course of governance outside of elections.

The primary challenge confronting Haitian society today is to renegotiate the social contract. In a context of fledgling democracy, the frequency of civil society's recourse to confrontation is often counterproductive, contributes to a climate of uncertainty, and inadvertently creates a pretext for destabilization and provocation by reactionary elements. Progress in democratic governance will be blocked unless the gaps can be bridged between government and civil society, and among Haiti's polarized social and political groups.

Government, without sacrificing its authority, must open itself to be petitioned, it must adhere strictly to the principle of transparency and seek consultation. It will gain credibility by promoting pluralism, rather than competing with or seeking to regiment civil society. NGO's and other forms of association are not the enemy at the gates of power, they are co-defenders of the still embattled fortress of democracy. Freedom of speech must be matched by untrammelled freedom of association.

In the long run, the old elites have a strong vested interest in social tranquility, and an economic stake in stability. So do the restive masses. Old-line strategies of social repression have proven counterproductive in achieving the goal of social peace. The vulnerable sectors of the society must gain a tangible stake in the economy, and in the process of decision making. There must also be effective channels for grievance against the state and redress of state abuses.

The apparent willingness of the majority urban poor to contain their current frustrations in the interest of national progress must be matched by a new spirit of community among the elites, and a rejection of fear. Alienated groups must arrive at a new social consensus based on common interests and shared citizenship. Common interests among deeply polarized sectors include, at the very least, economic reconstruction and nation building.

5.2 CIVIL SOCIETY ORGANIZATIONS¹³

¹³One reviewer of an earlier draft of this document pointed out with some justification that not only organizations but individuals, as well, should be considered important components of and participants in civil society. The right to - and power of - dissent, in both the public sector and civil society contexts, is surely worth reaffirming and cultivating. Certainly, individuals with no organizational affiliation may indeed have a great deal to offer, not only in terms of dissenting views, but also by way of insight and personal

Recent social history offers a compelling case for the reformist role of civil society in the public domain, and argues persuasively for the state to take initiative in soliciting that involvement. In many respects, Haitian civil society has proved to be one of the most dynamic sectors of society overall, in the development of formal institutions, provision of services, and pressures for change. The impulse and social constituencies for change which underlie these trends are key to promoting the continuing process of reform. Therefore, these constituencies are priority targets for outreach by the Civil Society Component, both for organizing opportunities for national dialogue and for sector-specific grants.

5.2.1 The Popular Movement

The 1986 fall of the Duvalier regime can be credited in significant measure to public demonstrations organized by civil society. This reversed a standard feature of Haitian political life, to wit, the effective exclusion of the rural majority and the urban poor from the public domain. In the years that followed, this opening stimulated the formation of thousands of small, community-based organizations interested in the political development of Haiti (see Americas Watch/National Coalition for Haitian Refugees 1993 & Levin 1995). In spite of periodic assaults against this movement, the large majority persisted in efforts to join the national debate on basic reforms. The movement has been plagued by internal divisions and fragmentation, however, it proved able to coalesce at pivotal turning points in the democratization process, including the fall of Duvalier in February 1986, the constitutional referendum in March 1987, the aborted elections of November 1987, the elections of December 1990, the entry of the multinational force in September 1994, and the local and national elections of June and December 1995.

The term "popular movement" is a generic phrase for a whole range of civil society organizations in Haiti. In its narrowest sense, it refers here to politically active organizations defined primarily as pressure groups or rights defense committees - many of them based in urban slums. It does not include political parties, although popular groups have allied themselves intermittently with political parties or coalitions, and supported - and sometimes even fielded - particular candidates for public office. The term popular movement is also used to refer to grassroots organizations not defined primarily as pressure groups, e.g., membership-based community organizations and *gwoupman*-based federations in rural peasant communities. Such grassroots peasant organizations actively pursue local economic and service goals as well as political concerns - especially in local politics and in fielding local candidates for office.

The popular movement is firmly rooted in rural and urban communities of the poor majority. In its broadest sense, it encompasses a diverse range of local groups and associations including scores of cooperatives, literacy programs and politically active trade union locals, professional student and women's organizations, hundreds of ecclesiastical base groups (Catholic), hundreds of grassroots peasant organizations based in local communities, and thousands of small block associations in urban centers, particularly in the sprawling slums of Port-au-Prince, Cap-Haitien, Gonaives and other major provincial cities.

commitment. Such individuals will be actively sought out as participants in DEP/CS initiatives. Nonetheless, in the final analysis, it is only within a well-developed and organizationally-articulated civil society that both the right to dissent and the contributions of individuals can be effectively and systematically safeguarded, and it is to this larger institutional context that the project properly addresses itself overall.

A relatively small number of these myriad associations are formally registered with the state. Most have no legal status or protection before the law. Many are informal local groupings, action committees or movements. The latter groups tend to have poorly defined internal structures, limited activities, and an intermittent associational life. They have the capacity to go underground or suspend all activities during periods of repression, and to spring back to life and coalesce around major events or public demonstrations when practicable. In terms of political action, most have been defined largely by the need for self-protection, and by confrontation and opposition to repressive government. Some have thus far had only an ephemeral existence as "institutions," but the impulse towards participation - in terms of both self-expression ("voice") and self-help (community and neighborhood improvement) - remains a strong motivation that could be even more effectively tapped.

The Civil Society Component of the DEP is well-positioned to promote new strategies of popular engagement which go beyond confrontation, and to promote dialogue on concrete issues - both between members of the popular movement and representatives of government, and across sectors of civil society - on the basis of common interests such as improved security, provision of basic public services, economic issues, or legal rights of association. Important subsectors of the popular movement have a tremendous need for basic skills training, leadership development, and development of organizational skills and structures. The urban popular movement should be an important target for assistance as it shifts its focus from a role of opposition to a broader range of community-service roles, while maintaining its credibility as a legitimate voice in creating institutional forms of representation in local and municipal government.

5.2.2 Non-Governmental Organizations

Another important sector of civil society is a network of several hundred non-governmental relief and service organizations (NGO's), and grassroots support agencies. Over a hundred of these organizations are registered with the government as NGO's or foundations. Such organizations have salaried personnel as well as volunteers, and are not defined by a membership base. NGO service providers may be Haitian or international, religious or secular, technical or social in nature. NGO's have been active in Haiti since the 1940s as service providers (education, health, agriculture) and/or community development and relief agencies.

During the Duvalier years, NGO's were largely foreign in origin, however, during the past ten years there has been rapid expansion in the Haitian NGO sector. This growth includes a number of diaspora-funded NGO's, and local organizations supported by Haitians who have reestablished themselves in Haiti after a significant period of living abroad. Numerous NGO's have also been created by current or former government functionaries with professional backgrounds. In the post-Duvalier era, a dozen or so NGO's took on advocacy and monitoring functions in the area of human rights. Some have carried out training in civic education and civil rights. NGO's have commonly played an important role as grassroots support agencies and donors, often serving as a buffer or umbrella of protection shielding grassroots member organizations from one or another repressive transitional regime.

NGO's have long been important channels for public services in the absence of government services. They have played an important role in the development of pluralism. Due to their prominence, government officials have at various times accused them of usurping government roles, acting as a virtual shadow government, and exercising an undue influence over both national and international donor policy in the areas of health, education and agriculture. These accusations were lent credence under the Duvalier regime and subsequent interim governments by the understandable tendency of

major bilateral foreign assistance donors, including USAID, to channel significant funding through NGO networks rather than the technical "line" ministries of the government. Consequently, there is a lingering sense of resentment and rivalry expressed by many government officials. This sentiment is fueled by the willingness of NGO's to pay higher salaries than their government counterparts, and the ability of NGO's to siphon off talented young professionals, administrators, agronomists, engineers, educators, medical personnel and even returning members of the Haitian diaspora.

During the Duvalier years, the GOH established a procedure for credentialing NGO's which effectively circumscribed their room for maneuver as private associations. This issue continues to present problems in relations between the sitting government and NGO's, threatens the growth of pluralism, and limits political space for nonpartisan advocacy of system reform.

A very high priority for civil society today is to achieve unconstrained freedom of association for NGO service agencies and advocacy organizations of the independent sector. This requires - and will further facilitate - an openness to dialogue and initiative on the part of government to shift away from old patterns of suspicion and control, to new relations with NGO's and other independent sector associations based on consultation, coordination and partnership.

It also requires NGO adaptation to a new era of engagement with government, including the decentralized entities of local government. Now that legitimate government structures, elected officials and functionaries are in place, NGO's will need to seek a new partnership with government at all levels. While the GOH must guarantee NGOs' right to operate independently, NGO's will also need to accept government's legitimate right to information about their activities and be willing to agree to and meet reasonable standards for legal registration. NGO's must reassess their own program and funding priorities in this new era, and avoid defining themselves simply as channels for foreign assistance donors and their agendas. Given expected declines in overall donor support in coming years, NGO's will also be faced with having to become more competitive and responsive to clients' needs and priorities. NGO-government relations and a revised legal framework, enabling full freedom of association, are thus important areas for potential support by the Civil Society Component.

Grassroots support organizations must also take pains to shift away from their tutor-mentor-buffer roles in relations with peasant and other grassroots membership-based organizations. They should show greater regard for group process in grassroots decision making, and promote negotiated partnerships in lieu of tutorship and patron-client relations.

In the past two years there has been an important national trend for labor intensive public works, and a plethora of special funds for grants to local organizations. This has set into motion a scramble for outside funding within the popular, grassroots movement - often without clear objectives or adequate follow through. It has also increased expectations for a continued infusion of scarce cash. This has the potential for negative consequences on the internal development of grassroots organizations as self-sustaining groups rooted in direct member participation. It also runs the risk of interfering with their ability to reassess and redefine their relationships to government, especially local government and the process of political reform.

Again, the promotion of dialogue, and joint review of the nature of the desired partnership between grassroots organizations and support agencies, merit serious attention by the Civil Society Component. Training and roundtable discussion of these issues could generate the basis for new partnerships, and a united front on reform issues, including stronger legal guarantees and facilitation for the right of association.

5.3 THE RURAL SECTOR

Two-thirds of the population of Haiti today still resides in rural areas. Most are small-scale peasant farmers living in dispersed homesteads and working a number of widely scattered agricultural plots ("gardens"), under a variety of tenure arrangements. There are significant levels of internal migration to cities, primarily the capital metropolitan area, and high rates of emigration, primarily to the Dominican Republic and the United States. Despite these high levels of what amounts to "rural flight," however, Haiti remains the most thoroughly rural and agriculturally-based society in the hemisphere, by all accounts (Barthelemy 1989 & 1996).

Local and international NGO's promoted community development models in Haiti by organizing rural community councils as early as the 1950s, and throughout the Duvalier years. Others, notably CARITAS, the relief and development arm of the Catholic Church, promoted what evolved into more democratic alternatives based on small face-to-face groupings known generally as *gwoupman*. These base groups are generally organized initially around pre-cooperative activities grounded in joint economic ventures and investments, regular discussion groups aimed at problem analysis and consciousness-raising, and a heightened awareness of and concern for issues and constraints confronting the Haitian small-scale rural producer. The older community councils generally disbanded after the fall of Duvalier, having become closely associated in most areas with the last-ditch efforts of Duvalier *fils* to salvage his dynasty in its waning years through the outright politicization of the already heavily compromised community council movement. In contrast, *gwoupman*-based movements have subsequently expanded into virtually all regions of Haiti, and taken on community service roles previously carried out by community councils, while maintaining its grassroots base and vitality in small pre-cooperative groups focused on common work and study.

Membership in grassroots member organizations has been the primary means of rural people to exercise their rights and gain access to services.¹⁴ Especially during the past twenty years, peasant farmers in hundreds of rural communities gained experience with modern forms of associational life outside of the family unit and other traditional social groupings. Most such organizations were highly localized, and focused on local needs and opportunities. Since the late 1980s, there has been an important trend toward broad-based regional and organizational mergers. They are based on common interests and particular areas of collaboration - especially in politically-based initiatives. Like their member organizations, peasant alliances at this sub-regional and regional level tend to have a geographic base. There is a direct link between the emergence of inter-federation alliances and animator networks linked to animator training centers, at least some of which were extensively funded by USAID between 1987 and 1991 in connection with its national civic and voter education campaigns around the 1987 and 1990 elections (see section 1.4, above).

Peasant groups have long been targets of state repression. As a political stance, peasant groups have always sought first to protect themselves *from* government, especially from abuse by local authorities. All peasant organizations are familiar with the art of *mawonaj* (keeping a low profile, staying out of harm's way by avoiding encounters with the more powerful), and learned these skills long before the most recent coup and sustained subsequent repression. Recent interviews with peasant organizations

¹⁴For a recent sector assessment of peasant organizations, upon which the material in this section heavily depends, see Smucker & Noriac 1996. Where not otherwise cited, insights in this section are drawn from this source.

clearly indicate profound skepticism of government and all political parties, especially national government and national parties. Peasants continue to identify strongly with the rhetoric of change characteristic of the former president's public persona, however, they remain highly critical of government in general, especially state ministries and the functionaries who control them.

In June 1995, peasant grassroots organizations took an unprecedented practical interest in the electoral process, and were especially attuned to the opportunities that local elective offices and the implantation of effective civilian control over rural areas might afford their membership. In 1990, by contrast, grassroots organizations tended to phrase their interest and involvement in the elections by supporting one or another national political party and/or candidate. In 1995, however, they explicitly evinced a far greater interest in local as opposed to national contests. In several cases they rejected candidates proposed for local office by even the most popular political parties, including some slates closely associated with the outgoing president. Regardless of party affiliations, in fact, they deeply resented efforts by Port-au-Prince-based politicians and party leaders to impose outside candidates and former, now urbanized, residents, for local office. They were very interested in having a voice in selecting truly local candidates for local office, and in assuring the effective representation of genuine rural interests in Parliament.

Overall, numerous peasant organizations, acting on their own, planned and carried out a remarkable shift in electoral strategy between the 1990 and 1995 elections. In 1990 they supported political parties and slates deemed sympathetic to peasant interests but based on decisions originating outside of their communities. In 1995, they actively promoted their own leaders and rank-and-file members as candidates for office. In so doing, they moved from an indirect strategy in support of outside forces to a direct bid for local control of local government. Field interviews suggest growing awareness among peasant leaders of the importance of representing peasant interests in the national parliament as well. It appears that peasant organizations are today poised to play a pivotal role in helping to redefine Haitian governance. The challenge over the next several years will be to translate the national rhetoric of decentralization into a locally-grounded constructive role for local government in actual practice.

Thus the elections of 1995 definitively marked the passing of an earlier generation of capital-based politicians, and the rise of newer and younger faces actually hailing from the countryside itself, including peasant parliamentarians, peasant mayors and communal council members and, of course, peasant CASECs. None of this would have been possible without the informed and responsible activism of peasant grassroots organizations (Maguire 1996).

The shift to civilian government for rural areas has raised a whole series of questions regarding an appropriate division of labor among private peasant organizations and the new governing councils and assemblies with public charges and responsibilities. Peasant organizations will continue to have an important civil society role to play. Issues of overlapping interest include the vestiges of old rural section chief roles, civil rights, law enforcement, community-based dispute resolution, public services, economic concerns, leadership roles, taxation authority, budgetary process, relations between the councils and assemblies, and a practical division of labor between communal and communal section governments.

Grassroots peasant organizations are now faced with the task of keeping their newly elected member-representatives honest, and focused on representing rural community interests. Numerous peasant leaders now hold dual responsibilities as public officeholders and private leaders of peasant organizations. They are subject to divided loyalties. There is also a serious risk of one powerful person accumulating multiple leadership roles with built-in conflicts of interest. Peasant organizations must

assure a balanced exercise of public and private roles, and exercise a watchdog role even over "their own" newly elected public sector leaders to ensure internal and external checks and balances in the wielding of local influence and authority

The evolution of *gwoupman* movements over the past decade generates new opportunities but also brings with it new risks. As such movements evolve into community organizations, they tend to accumulate new roles and objectives, and are subject to a loss of focus. Furthermore, as they grow larger and more elaborate they are vulnerable to structural arrangements which reduce internal checks and balances and undercut the democratic character of the group's life by relying on powerful central committees and strong individual leaders. The current phase of membership recruitment heightens the risk of winding up with an undifferentiated membership dominated by small committees. These structural problems threaten the long-range effectiveness of peasant organizations.

Competition for scarce funding for local projects and jobs imposes immense pressures on peasant organizations. These pressures generate splits, and prevent the integration of neighboring movements. Underlying many conflicts is the powerful tutor/donor role of grassroots support organizations. Outside funders are not sufficiently aware of the potential for conflict in the simple exercise of their roles as tutors, trainers, employers and funders. During the past decade, rivalry between political factions, parties and candidates has also sometimes precipitated conflict and schism in peasant organizations.

An important limiting factor on the role of peasant organizations are the onerous restrictions on independent legal status of peasant organizations. These groups require a new law on associations adapted to their needs as rural-based grassroots organizations. The law on cooperatives requires review and reform to facilitate cooperative development in rural areas.

Grassroots peasant organizations are without a doubt the pivotal element of civil society in rural Haiti. In effect, they are the key to successful implementation of the policy of decentralization. They should maintain their interest in safeguarding citizen rights, and serve as an ever-present watchdog on local government action and expenditures. They should identify key issues and continuously lobby with elected representatives for honest representation, policies and laws which support peasant farmers and grassroots organizations. They are a high priority for targeted assistance by the Civil Society Component, especially for roundtable discussions and training support on critical issues, legal status, basic skills training, leadership development, policy advocacy and watchdog functions.

5.4 THE URBAN SECTOR

Urban Haiti comprises roughly one-third of the population, with 60% concentrated in the Port-au-Prince metropolitan area (including the contiguous communes of Port-au-Prince, Delmas, Carrefour and Petionville). In 1950, the population of this "metropolitan" area was 150,000. In 1996, it is estimated to be around two million. The Port-au-Prince growth rate may be as much as four times the natural rate of increase. One recent analysis estimates the average annual growth rate of the metropolitan area at 7.4 percent between 1950 and 1988 (Barthelemy 1996: 2, 14).

Perhaps two-thirds of the population of Port-au-Prince is concentrated in teeming slum districts - some as old as the French colonial period, others having sprung up only relatively recently on coastal landfills and in the nooks and crannies of the city's ravine-based drainage system. The people of these areas remain largely young and rural born, in spite of the emergence, over the last generation, of some "stable" slum populations reproducing themselves through natural growth rather than on the basis of the

sustained influx of rural out-migrants. A 1994 study (Bernard & De Zalduendo 1994, cited in Barthelemy 1996) identified little more than nine percent of the residents of Cite Soleil the capital's largest - and the hemisphere's fourth largest - slum as native to the district, with nearly two-thirds rural born and the remainder hailing from other neighborhoods of Port-au Prince. The same study found nearly half of its sample classified as single youth, and over a third of households as single-parent, female-headed households. It is incorrect to classify these populations as mere "squatters," as is the case of many of Latin America's other major slums. Rather, over two-thirds of the lodging units are rented, or resident-built on rented sites. Rents are paid to a class of speculative landlords who have taken over unoccupied state land and lands left vacant due to exile (under Duvalier) and *dechoukaj* (in the post-Duvalier period), or simply stolen outright (also see Dominique 1994, cited in Barthelemy 1996).

The urban slums are composed largely of displaced peasants. Many keep in close touch with home communities and have a foot in both the rural and urban worlds. In some respects, their presence represents what may be thought of as the ruralization of the city, at least as much as it does the urbanization of Haiti's rural base. The majority of gainfully employed slum residents derive their income from the informal sector, rather than from salaried employment. The sense of "localism," or identification on the basis of small localities within larger slum districts is at least as well-developed as it is in rural Haiti. Even access to basic public services, such as water and electricity, operates through the informal sector - giving rise to a parallel system of buying and selling access to public utilities outside the control of official parastatal agencies, often at higher cost to the slum population than for comparable public services provided directly in wealthier areas.

The majority of politically oriented pressure groups in the popular movement discussed earlier are based in urban slum neighborhoods. In contrast to the elaborate development of grassroots peasant organizations in much of rural Haiti, most popular groups in slum neighborhoods have not had the benefit of NGO support and animation services. Nevertheless, there is a network of neighborhood watch groups and pressure groups with a significant potential for civil society development. Such groups should be incorporated into dialogue and roundtable discussions of critical issues in the life of their communities, including fundamental issues of reform, democratic representation and local governance. Many of the risks and structural problems discussed earlier in connection with grassroots peasant organizations also apply to grassroots development in the urban sector and its popular movements. It would be extremely useful for urban and rural groups to join together in dialogue and roundtable discussion of areas of common interest, and to develop linkages in the quest for reform.

Slum areas don't quite fit the patterns of local CASECs and Assemblies designed for rural Haiti. Some urban slums are located jurisdictionally within what once were the extensively rural communal sections of major metropolitan communes, but their interests as urban dwellers are not coincident with those of rural residents in other portions of the same communal section today. In other cases, slum districts and local neighborhoods within them have distinct interests and concerns which are different from other sections of the city under the same municipal jurisdiction. Clearly, these areas have special needs, and lack a legitimate channel to voice their concerns. Given the age-old fears of slum dwellers rising up against the formal sector and the traditional elites, these issues should be of great concern to a whole range of political and social interests within Haitian society. These lively urban communities should be dealt with in non-repressive ways, and integrated formally into society as participants, rather than relegated to the margins of neglect, always held in check and in reserve until one or another populist politician feels the need to make the urban bourgeoisie tremble.

5.5 WOMEN

Given its high rate of natural increase, the population of Haiti is proportionately quite young. Demographic data suggest a shortage of men in almost all age groups over age 10, a tendency that is much more pronounced in urban areas than in the country as a whole. Furthermore, there is evidence that rural-urban migration emphasizes women far more than men, and constitutes perhaps 70% of the stream of migration from rural areas. Some estimate the urban rate of female-headed households at close to double the rate in rural areas. Perhaps half the households in the metropolitan area are headed by females responsible for their own livelihood (Tardif 1991).

Overall, perhaps 80 percent of the work force secures its livelihood in the "informal" sector, and 20 percent in the salary-based modern sector. According to Tardif (1991), perhaps 10 percent of girls aged 5 to 9, and a third of girls 10 to 14 are economically active. The internal market system of Haiti is dominated by women engaged in small scale commerce. An estimated 70 percent of women in the service sector are employed as servants. In the assembly industry of Port-au-Prince, around three-fourths of the workers are women. Women's employment in commerce or as factory workers is consistently reported, conservatively, to support at least 4 to 5 additional dependents. Clearly, the economic role of women in Haiti is of immense importance, providing a bedrock of survival for the poor majority.

In rural Haiti, men tend to dominate the agricultural sector and maintain primary control of agricultural plots and the marketing of large animals and export crops. Women are heavily engaged in agriculture as workers, and control the sale of agricultural crops from the farm gate to local markets, and dominate buying and selling in regional markets and the rural-to-urban commerce in agricultural products. Despite the economic importance of women, men overwhelmingly dominate formal leadership roles in government and independent sector organizations.

According to recent findings by Smucker and Noriac (1996), current trends among grassroots peasant organizations include a pronounced and salutary increase in small women's groups and associations of women's groups. This trend is in part a survival response to the harsh economic and political conditions of army rule in the early 1990s. Women played a crucial role in economic survival, and the exchange of information under oppressive conditions for peasant organizations. The emergence of women's groups in larger numbers also reflects a national trend promoted by various intermediary sectors and institutions, including CARITAS and the new Ministry of Women's Affairs, created after the return of constitutional rule. This trend touches both rural and urban sectors.

Women play a crucial role in peasant organizations, especially in commerce, credit and the management of group-held funds. They commonly serve as treasurers of mixed groups. Women's groups are actively vested in commercial endeavors and rotating credit arrangements. At the level of gender-based small groups, there is a common division of labor in which women rotate credit for personal commerce, and men rotate agricultural labor. Such groups are able to generate funds of savings from their own pooling of independent resources. This economic base has consistently shown great promise as a foundation for broader levels of cooperation firmly rooted in economic joint ventures at the small group level. Despite the central economic role of women in grassroots peasant organizations, men still predominate in leadership roles, especially on central committees of federations.

Women's groups have been both practical and innovative. Given the economic importance of women's groups and their success in managing funds, it would be beneficial to peasant organizations if women gained higher leadership profiles as members of central committees of associations and federations.

The growth of gender-based groups is a positive trend, however, gender-segregated strengths should be balanced by joint decision making at higher levels of grassroots organizations. These are high priority issues for roundtable discussions in peasant inter-organizational formats, and for targeted outreach to promote women's groups and to build upon women's economic skills for the promotion of the broader process of reform.

5 6 MEDIA AND THE PRESS

In the Haitian context, a vibrant civil society is unimaginable without effective media and press coverage of public events, issues, and CSO concerns. Therefore, the media, especially the press, must be vital elements of a civil society strategy. They play a critical role in ensuring transparency and accountability, and in publicizing citizen opinion. This suggests a critical role for DEP/CS in support of Haitian journalists' professional associations, with a focus on freedom of the press, responsible journalism and investigative reporting (see Blair 1994:15).

The most significant development in this sector over the last twenty years is the phenomenal growth and Creolization of radio. There are presently an estimated 60 radio stations operating across Haiti (Chanel 1996:6), many of them local with a limited broadcast range, but including 29 stations in the area of Port-au-Prince alone (Balutansky 1996:10). Such stations fall into three basic categories: commercial, religious and governmental. Radio has played an important civil society role during the entire democratization process, and was the single most important line of communication for civil society protest leading to the fall of the Duvalier regime. In 1985-86, religious radio stations (Radio Soleil, a Catholic station, and the Protestant Radio Lumière) were leaders in opening the airwaves to greater freedom of expression.

An important recent trend has been the opening of new local radio stations in various parts of rural Haiti. This is a tremendous opportunity for diffusion of information on civil society issues. Such stations are very interested in additional programming material. They also play a special role in personal communications in the absence of telephone grids in rural Haiti.

Other forms of Haitian media include around 20 television stations, two daily papers with a limited circulation of three to six thousand copies, and four weeklies which appear with a degree of regularity, including three edited in the United States (Chanel 1996:6). Television has become increasingly important, but its reach is limited to urban centers and a small minority of households. There is an old tradition of self-publishing among the intellectual classes, and a relatively large number of books published for a small national audience of literate readers. The common use of Creole in both the printed and broadcast media is a very significant change from a generation ago. This language shift has tended to expand the reach of the media to a much broader segment of the population.

Between 1980 and 1990, various media were deeply implicated in the process of political change, however, the longstanding media and press tradition in Haiti is one of limited freedom of expression, prudent self-censorship, and a marked degree of partisanship. Government has tended in varying degrees to censor broadcasts and publications, or to create an atmosphere in which the media are forced to engage in self-censorship. Journals and radio stations have been common targets during repressive periods. Specific media outlets, both public and private, still tend to be linked to particular social sectors or to the official line. There is no real tradition of objective reporting, investigative reporting or a nonpartisan stance in the press. The tradition of extreme partisanship has been closely linked to irregular publication of periodicals, and a low rate of survival for both publications and radio stations. The media tend to be highly polarized at present, reflecting the generalized polarization of society. There is very little development of a community of journalists, or a spirit of professionalism within the media as a sector.

There is a tremendous need for greater professionalism in press reporting. There should be a new law on communications to better protect the freedom of the press, and to guarantee the independence of private media. Prospects for media development would be greatly improved with a more stable social

and political environment for investment. The private media are largely dependent on generating revenues as a business investment in order to survive and plan for the future. There is only limited reporting and investigative journalism currently focused on key public sector institutions such as Parliament.

Civil society is severely constrained by the paucity of objective information regarding important new laws and policies under consideration. The media and the press have not adequately promoted a spirit of public debate based on objective reporting and the free flow of information. In some respects, the reporting in the past two years has been considerably less dynamic than in the 1980s.

This sector is absolutely critical to enhanced civil society roles, and merits a high priority for investment in more professional journalism, diffusion of new program material concerning civil society and critical governance issues, and roundtable discussion and consultations regarding common interests as a sector. The Civil Society Component will seek to support the free flow of information, public service broadcasts, civic journalism, a free press and, more generally, the development of more professional and ethical standards for both the press and media outlets.

SOURCES CITED

- Americas Watch/National Coalition for Haitian Refugees (AW/NCHR)
 1993 ***Silencing a People The Destruction of Civil Society in Haiti*** New York Human Rights Watch
- Balutansky, Edwige
 1996 **Diagnostic de la societe civile haïtienne Medias** Port-au-Prince ADF - ASOSYE (draft ms)
- Barthelemy, Gerard
 1989 ***Le pays en dehors Essai sur l'univers rural haïtien*** Port-au-Prince Editions Henri Deschamps (2eme edition)
 1996 **Paysans, villes et bidonvilles en Haïti Aperçus et reflexions** Port-au-Prince ADF - ASOSYE (ms)
- Bernard, Jean Maxius and Barbara De Zalduendo
 1994 **Les conditions sanitaires dans les bidonvilles haïtiens Le cas de Cite Soleil** *Bulletin du Bureau National d'Ethnologie* 1993/4 69- 88
- Blair, Harry
 1995 **Civil Society and Building Democracy Lessons from International Donor Experience** Paper presented at the Annual Meetings of the American Political Science Association, Chicago, IL, August 31- September 3, 1995 (draft ms)
- Chanel, Ives-Marie
 1996 **Diagnostic de la societe civile haïtienne La presse** Port-au-Prince ADF - ASOSYE (ms)
- Diamond, Larry, Juan J Linz and Seymour Martin Lipset (eds)
 1989 ***Democracy in Developing Countries*** Boulder, CO Lynne Reiner
- Dominique, Didier
 1994 **Tenue fonciere et environnement en milieu urbain** Port-au-Prince, Centre de recherches urbaines
- Hansen, Gary
 1996 **Constituencies for Reform Strategic Approaches for Donor-Supported Civic Advocacy Programs** Washington, DC United States Agency for International Development/Center for Development Information and Evaluation (USAID Program and Operations Assessment Report No 12)
- Levin, Andrew S
 1995 **Civil Society and Democratization in Haiti** In *Emory International Law Review* 9 389-457
- Locher, Uli, Glenn R Smucker and Drexel G Woodson
 1983 **Comparative Evaluation of Three Haitian Rural Development Projects**

Washington, D C Creative Associates

Lowenthal, Ira P

1978 **Some Issues in Community Organization** Port-au-Prince United States Agency for International Development

1979 **The Groupement Pilot Project: A Project Proposal** Port-au-Prince United States Agency for International Development

Lowenthal, Ira P and Harlan H D Attfield

1979 **Integrated Rural Development in Haiti Problems, Progress and a Proposal** Port-au-Prince United States Agency for International Development

Maguire, Robert

1996 **Bootstrap Politics Elections and Haiti's New Public Officials** *Haiti Papers* 2 1-8 (A publication of the Hopkins-Georgetown Haiti Project)

Mintz, Sidney W

1974 **Caribbean Nationhood The Case of Haiti** In Mintz, *Caribbean Transformations* Chicago, IL Aldine

Oakerson, Ronald J

1995 **Assessing and Assisting Democratic Governance Reform A Framework.** Washington, D C United States Agency for International Development (Presented at ARD/MSI Workshop, February 1995)

Price, Richard (ed)

1973 **Maroon Societies Rebel Slave Communities in the Americas** Garden City, NY Anchor/Doubleday

Smucker, Glenn R

1982 **Peasants and Development Politics A Study in Haitian Class and Culture** New York New School for Social Research (Ph D dissertation)

Smucker, Glenn R and Dathis Noriac

1996 **Peasant Organizations in Haiti Trends and Implications** Port-au- Prince Comite Haïtien de Developpement (CHADEV) - Institut de Consultation, d'Evaluation et de Formation (ICEF) - Inter-American Foundation (IAF)

Tardif, Francine

1991 **La situation des femmes haïtiennes** Port-au-Prince Comite Inter-Agences Femmes et Developpement (Nations Unies)

Trouillot, Michel-Rolph

1990 **Haiti State Against Nation - The Origins and Legacy of Duvalierism.** New York Monthly Review Press

1994 **Haiti's Nightmare and the Lessons of History** *Dangerous Crossroads* *NACLA Report on the Americas* 27, 4 (Jan /Feb)

United States Agency for International Development (USAID)

and **Civil Society Reference Group Information Memorandum for the USAID Senior Staff** Washington, D C (ca 1995)

1996 **Implementation Guidelines Annex C Democracy** Washington, D C (Draft 1/30/96)

United States Information Agency (USIA)

1995 **Haitians Applaud U S., Embrace Democracy, Express Cautious Optimism** Briefing Paper 10/3/95 Washington USIA

Zak, Marilyn and Glenn R Smucker

1989 **Haiti Democratic Needs Assessment** Washington, D C United States Agency for International Development/Bureau for Latin American and the Caribbean