On November 23, 2009 CPPF Program Director William O’Neill delivered a speech at a meeting organized by the Ministry of Foreign Affairs and International Trade of Canada, on “Democracy in Fragile and Conflict-Affected Situations.” The subject of Mr. O’Neill’s speech was the challenges to building an effective state in Haiti.

Haiti: The Phantom State Strikes Again

“The state should defend us but it has given up on its responsibilities. It is absent except when it needs us. There are no schools, no healthcare, no agricultural support, and therefore – no future for our children.”

(A farmer interviewed in the district of Lawoy, May 27, 2008 and quoted in The Human Right to Food in Haiti [Rights and Democracy and GRAMIR, 2008,])

At least 80 Haitian children were killed just over a year ago on November 7, 2008 in Pétionville, just outside the capital Port-au-Prince. They were not child soldiers caught up in battle, nor were they victims of a suicide attack, land mines or errant bombs in a hunt for insurgents. They were simply sitting in their classrooms on a sunny morning when their school collapsed on top of them, crushing and suffocating them to death.

These children’s deaths were not due to bad luck or an accident, rather were utterly preventable and predictable. The school, called “La Promesse” (“The Promise,” a cruelly ironic name it turns out) was built on a steep hill, not a suitable location for a school. At least 300 children were crammed into a small space with no easy escape route in case of an emergency. The area is so crowded that rescue workers and the Commanding General of the UN peacekeeping force in Haiti had to walk up the narrow road to the site of the disaster, urging frantic relatives to clear the way for the UN’s rescue equipment. The Haitian government had none.

Not for the first time, Haitian contractors used shoddy building materials to cut costs and maximize profits. Haitian President René Preval could state with certainty and without benefit of an investigation that poor construction, including a lack of steel reinforcement, was to blame for the school’s collapse. He also warned that many other buildings throughout Haiti might fall and called for greater oversight.

Haitians have every right to ask: Where were the building inspectors? Why had the Ministry of Education failed to intervene? What about the Ministry of Public Works and Transportation: how could they allow a school to be built in such a dangerous place? Where were the city planners or the land use experts? Why had the Haitian government, including the police, failed to take action even after the downhill neighbors of the school complained about the flawed construction? Some even moved because they feared a collapse.
The answer to these questions is clear: the Haitian state has consistently failed to provide basic minimum standards of safety, including access to food, clean water, safe roads and secure houses and buildings, along with adequate schooling and minimal health care. One of my Haitian friends says that Haiti is not so much a failed state, rather it is a “phantom state.” Yet this phantom is fatal.

Hurricanes in Haiti killed at least one thousand people in 2008. The same exact storm hits nearby islands and few if any die. Tropical storms and hurricanes hit Haiti every year. Yet governments have allowed housing construction in known flood plains. Officials fail to enforce land use regulations and zoning laws, often after pocketing a bribe or some other favor. Irrigation canals overflow with garbage so that when the tropical rains hit, the run-off is instant. Peasants desperate for some revenue have denuded Haiti’s steep mountains of trees to make charcoal for cooking despite laws, and even an article in the Constitution, protecting the environment. The rains run ever faster down steep slopes uprooting everything in their path, including homes. The city of Gonaïves, still under tons of mud one year after the 2008 storms, suffered a similar fate in 2004 when even more people died from mere tropical storms, not even hurricanes. The state learned nothing, however, and the same dilapidated housing went up in the same flood-prone neighborhoods only to be washed away four years later.

Haiti’s roads, pocked with huge pot-holes, are another death trap. Vehicles go un-inspected; one look at the bald tires and jerry-rigged braking systems makes one shudder. Trucks are dangerously overloaded with goods and people piled high with nothing to secure them. A quick stop or swerve to avoid a hole can mean instant death or injury to those on the top of the pile. And forget about an ambulance or emergency medical care: both are virtually non-existent once you leave Port-au-Prince and a few major cities.

The seas are no safer. Because the roads are so bad many Haitians rely on small boats that ply its long coastline. These boats too are unregulated: the government conducts no inspections, no life preservers or life boats are on board, and many boats have no means of communicating with a non-existent Coast Guard or anyone else. When one of these boats capsizes, which occurs with shocking regularity, hundreds of people drown; no one knows, least of all the state, exactly how many because there is not even a passenger log. Yet the owners of these boats are never held responsible and state inspectors yet again are missing in action.

Rotten food, drugs whose expiration date is long passed, toxic refuse from other countries, all have landed in Haiti and further endanger an already vulnerable population, one of the most destitute in the world.

Yet the Haitian state has a legal obligation to protect the lives and safety of its people. The government’s failure to enforce its own laws and regulations has killed more Haitians in recent years than the old Haitian army, police and urban gangs combined. While it is much “sexier” to address political violence, death squads and other grave human rights violations, the average Haitian is much likelier to die from the acts of omission of building inspectors, transport officials, health inspectors, school
administrators and the bureaucrats responsible for insuring that houses, shops, restaurants and roads are safe and sound. Similarly, international donors are more likely to support elections, “mediation workshops,” and building the capacity of national parliament than they are the tough, grinding work of real governance.

Fixing this near total state failure will not be easy in a country that has no tradition of enforcing rules, maintenance, prevention or planning. It will take strong leadership and dedicated public servants doing the daily grunt work of inspecting, reporting, monitoring, following up and holding people accountable for their acts. They must be paid regularly and given the resources to do their work.

Holding those criminally accountable for the homicides, for that is what the death of these children should be called, would also send a strong signal that business as usual is over. Equipping Haitians to demand that their elected officials stop squabbling and start focusing on protecting their constituents’ lives should be a top priority for international donors working in Haiti. Citizens have been excluded from all decision-making and budgets are anything but transparent, fuelling rampant corruption. Donors must insist that ministries actually work to provide services and support to Haitians and that the state use its revenues and donor funds to achieve this objective. Parliament has a crucial role but it too has abdicated its responsibilities, engaging in sterile debates, obstructing necessary action and seemingly more concerned with protecting its own privileges and immunities. The latest dismissal of the Prime Minister is another sorry example of misplaced priorities.

Donors should insist that the all branches of the Haitian government- the executive, parliament and judiciary, understand that they are public servants, responsible for the health, safety and security of all Haitians and that they act accordingly. Assistance must be conditioned on measurable improvements in the state’s meeting its obligations.

Otherwise, failing to improve the Haitian state’s ability to enforce laws and rules and to respect, protect and fulfill human rights will kill more Haitian children, as surely as the storms will come next summer.

William G. O’Neill
New York, NY
Nov. 4, 2009