

The Ethics of Regime Change in Haiti

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The situation in Haiti has deteriorated in the past few months, as shown by other texts in this number, such as Urbano (2024). Gang violence is one of the main threats to security (Solace..., 2024), to the point that government services are hindered from reaching the population. Port-au-Prince has been so affected that Haitian Prime Minister Ariel Henry resigned over it during a trip to Kenya, leaving a power vacuum filled by a transitional government (BBC, 2024a) Jimmy Chérizier, otherwise known as “Barbecue”, leader of an alliance of gangs called G9, has become an extremely powerful figure because of his position. He shows interest in profiting from the destruction of political institutions (BBC, 2024b), warning that civil war could erupt in Haiti should Mr. Ariel Henry return to the country (Ibid.).

It should be clear to the reader that Haiti has not been doing well for decades. The country deals with one humanitarian crisis after the other (Mesquita & Grass, 2024; Oliveira, 2024). So, given that no force within the country is likely to combat organized crime and bring stability to the country, and that political elites in Haiti have not appeared willing to build long-term solutions for problems such as food insecurity (UNSDG, 2024), poverty (BBC), illiteracy (Macrotrends, 2024), etc. I argue that military foreign intervention is needed in Haiti, although I do not believe there are reasons for regime change. Thus, I proceed in the following manner: first, I briefly outline the ethics of foreign intervention being presented, why and when it should occur, grounding myself in International Political Theory. Then, it is argued why Haiti is fit for intervention, avoiding the technical procedures of implementing such a policy.

The ethics of foreign intervention

The concern of foreign intervention has been thought of for many years, as it goes against the principle of state

sovereignty, can have devastating effects where it is implemented, and can be instrumentalized as a means of instilling another state's interest in a country. My argument is predicated on the notion that there is a just way of conducting Foreign Policy (FP) – one of which is foreign intervention –, if the objective is the protection of human beings from harmful domestic conditions. But, as the situation presents itself, there is no sound argument in favor of regime change in Haiti, because there is no violence against civilians coming from the government – the main challenge is organized crime. The situation in Haiti is not that of a coup d'état, civil war, putsch, or even insurgency. There has been no small infiltration of a group that seized control of the governing apparatus that then excises current rulers, or even conflagration between popular forces that seek control of the government, or deposition of rulers by the army (Luttwak, 2016, p. 9-12).

Organized crime has expelled government forces, making no attempt to implement policy. Even the Taliban, which utilized terrorism to fight against foreign forces (Stenersen, 2009), buckled down and ran government institutions, an insurgent group came into power and ran the country (Time, 2023). This, however, is not the case in Haiti. The government is simply unable to execute policy, they cannot rule. Henry's administration is currently operating without a parliamentary mandate; their term ended, but elections to renew parliament cannot happen. Electoral infrastructure was damaged during the 2010 earthquake, along with many government agencies, and subsequent administrations struggled to rebuild those institutional capabilities. Now, when the government has lost control of 80% of the capital, how can new elections even be held? Note that I am not calling for regime change, intervention is needed to restore the government's control over Haiti, eliminating the influence of organized crime on the Haitian capital simply because the government cannot function.

Having that in mind, I take from Eriksen (2016) three main ways to understand justice: as non-dominance, impartiality and mutual recognition. For him, injustice is about dominance, and dominance is subjection to an unjustified wielding of power. That is, justice is the protection from arbitrary power based on a set of rules that are not subject to popular scrutiny. To illustrate a situation of dominance, a look at the citizens of Haiti is sufficient, currently subjected to the will of criminals, not having the state to guarantee their security. Here, dominance is created by the absence of governing institutions.

The first way to understand justice is as non-domination, that is: citizens are not subjected to arbitrary interference by their state nor by any external state. Arbitrary interference occurs when subjects cannot choose or reject acts that affect their interests (Eriksen, 2016). In a political order, a way to combat this is with a legally sanctioned regime protecting citizens from interference by agents unconcerned with their interests, and by the state arbitrarily using its coercive methods, while adding mechanisms of participation. There must be a pre-politically defined notion that freedom is non-domination, and that it is desirable (not necessarily democracy, but democracy can be a good guarantee). A FP based on this principle prescribes the creation of non-dominating institutions and upholds them, creating fair terms of cooperation within International Law (IL), while proscribing illegal interventions on state sovereignty. One of the main problems with this model is the possibility of paternalism, an interference that takes into account the interests of a group, but acts against their will, like forced medication. (Eriksen, 2016)

Justice as impartiality prescribes that strong institutions are required to prevent dominance, but those rules are established such that they are agreeable from “all points of view” (Ibid.). It is akin to a minimum common denominator, one which all can agree to. Impartiality in the rules and application of the rules protects actors from the imposition of one’s will without justification. Dominance is not about how well the interests of a person are served, rather, it is about the right to make a free choice, so external interference to protect that right can be justified, whereas if it does not protect that right, it is dominance. It is a conception of justice that protects individuals from each other at home, and states from each other internationally.

Sovereignty matters as a tool to protect human choice. Freedom is central here and is understood as independence from being constrained by another’s choice, provided that freedom can coexist with the freedom of others in compliance with a universal law (Ibid.). A FP based on this principle prescribes that conflicts must be settled by a third party, supporting a strong Human Rights Regime and Humanitarian Intervention, while proscribing interactions with states that do not respect Human Rights, for example. Coercion is acceptable only to the extent that it attacks an obstacle to freedom. In that sense, a non-consensual foreign intervention is hard to justify, and creates dilemmas, but a consensual foreign intervention is supererogatory, if not obligatory, because individuals – not states – are the entities bearing moral significance (Ibid.).

Justice as mutual recognition proposes that justice means different things for different groups, thus creating the need for actual deliberation, hearing all stakeholders in decisions (Eriksen, 2016). Rights are not something individuals possess, rather, they are granted by other members of a community. It is a bottom-up way of thinking about justice, adopting the belief that rights are a product of social relations, specifically, negotiations between different people that attempt to coexist without dominance of one over the other. In that sense, not taking into account the value framework of others and coming into agreement about reciprocal provisions would be considered wrong. Cooperation with affected parties and reciprocity are the hallmarks of this approach to justice. Applying a previous understanding that is not context-sensitive, for example, like blindly applying an idea of justice, or a principle of non-intervention does not generate the most just outcome. In this sense, being context-sensitive and cooperative is the way to go.

Each of these models is derived from a different strand of political thought, but can be used to judge how just an action is according to different perspectives. I believe that one single definition of justice will always be contentious. Therefore, by utilizing three different conceptions, I can better ascertain how just an action is, and establish dialogue with interlocutors from different perspectives. Ideally, I would reconcile all three models, to produce the most potent argument. Unfortunately, that cannot be done. Non-consensual intervention is permitted by one model, proscribed by the other, for example. So, unless there is a clear consultation of some part of the Haitian population, the answer of rightness is unclear according to all three models, and unless some part of the population is involved in making decisions, fairness of the operation cannot be assured. Thus, it is impossible to ascertain the justness of all three models without some form of consultation. That does not mean intervention would be necessarily unjust, as the non-domination model would allow it, but it would not be irrevocably just.

The local turn in UN interventions dialogues extremely well with at least the two previous models of justice, as it intends to be a bottom-up style of consultation, where local demands are taken into account. The ownership, deliberation, agency and participation of local actors is of utmost importance, and, as seen in Liberia and East Timor, can be extremely important in peace-building (Trebosc, 2023).

In sum, there are problems created by attempting to reconcile the three models, but having a more profound method of consultation can help protect Haitians from organized crime in a just manner, while sustaining foreign intervention.

Therefore, making the argument for intervention from the perspective of non-domination seems contradictory because the main idea of non-domination is being free from arbitrary interference from others. Since the interventors would not have been elected by the citizens of Haiti, it cannot be justified as legitimate.

Looking at Haiti now

The basis for intervention in Haiti would be that of Humanitarian Intervention. Not against widespread violence perpetrated by the government towards their citizens, but to protect citizens from the arbitrary rule of organized crime and instill some sense of order and security in the country. Given that gangs command approximately 80% of the countries' capital (Le Monde, 2024), and that internal measures have been insufficient in dealing with the problem, and that a previous prime minister sought a police intervention from Kenya (Reuters, 2024), I believe that foreign intervention will be needed to solve the problem. I assume that Haiti does not have governing institutions capable of running the country, just not of guaranteeing security throughout the territory, as has been the case so far. Violence is not coming directly from the government against their citizens, and for that reason, regime change is not warranted, but supporting the elimination of gangs is.

Previously, it was argued that Humanitarian Intervention ought not to occur except in situations of extreme violations of Human Rights. As we may see, this is not the case in Haiti. Government forces are not using chemical weapons on their own population, nor committing massacres in the name of a despotic regime. What is happening is the inability to guarantee protection, namely against organized crime (kidnappings, extortion, etc.), even though corruption among government officials is also relevant. In this case, can intervention be justified? I argue that it can, though it need not escalate to full-blown regime change.

Conclusion

All out war is not necessary in Haiti, nor is there a need to combat organized armies, the potential foes are nowhere near organized enough to require a level of violence that would destroy entire cities or neighborhoods, even. This leads me to conclude that there is a strong case to justify the use of force in Haiti. Nonetheless, this does not mean that any use of force is just. As outlined above, three different interpretations were shown. Additionally, I espoused the belief that all three models could be contemplated simultaneously, thus imbuing intervention with justice, in a manner that most people would agree with.

So, intervention must be designed to protect citizens from arbitrary power and violence, ensuring non-domination by both internal and external actors. This involves creating or supporting local institutions that safeguard the freedom and security of Haitian citizens without imposing external control that disregards their interests. Secondly, the intervention must be impartial, carried out by an unbiased international body, ensuring that it upholds universal human rights standards and is agreeable from all perspectives. This impartiality guarantees that the intervention is not serving the interests of any particular foreign power but is focused solely on protecting human rights and restoring order. Lastly, the process must involve mutual recognition, incorporating a deliberative approach that respects the voices and needs of all Haitian stakeholders. This means engaging with local communities, leaders, and organizations to ensure that the intervention is responsive to their specific contexts and concerns, fostering cooperation and respect for cultural differences. By aligning with these three models, the intervention can achieve a level of justice that would prevent a great deal of criticism, while at the same time ensuring that both reasons and means of intervention are just.

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