

RESTAVÈK: THE LIFE OF HAITI'S MOST VULNERABLE POPULATION AND
THE FIGHT AGAINST CHILD TRAFFICKING

by

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A Thesis
Submitted to the
Graduate Faculty
of
George Mason University
in Partial Fulfillment of
The Requirements for the Degree
of
Master of Arts
Anthropology

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Date: _____ Spring Semester 2015
George Mason University
Fairfax, VA

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DEDICATION

This thesis is dedicated to the boy who “stayed with” us.

ACKNOWLEDGEMENTS

I received a tremendous amount of invaluable guidance in the form of many tiresome hours over the course of a year editing this document, input and feedback on content, and help in sharpening my arguments from three outstanding individuals: Dr. Cortney Hughes Rinker, Dr. Jeffrey W. Mantz and Dr. Satsuki Takahashi. I thank Cortney for her patience with me as my thesis director and her calm and thoughtful responses to my many questions and concerns and especially for editing my paper for grammar as well. I understand this must have been a daunting task as English is not my first language. I thank Jeff for his expertise on the Caribbean and the invaluable reading list he provided; and Satsuki for her insights into the structure and voice of this thesis and her advice for me to seek assistance from the writing center at George Mason University. I would like to thank the many friends and classmates who assisted me in my research, through peer-editing and feedbacks during writing sessions. And finally, I would like to thank my family, relatives and friends for the brief hiatus in contact while I dedicated the last few months on completing this thesis.

TABLE OF CONTENTS

	Page
List of Tables	vii
List of Figures	viii
List of Abbreviations	ix
Abstract	x
Introduction: “Think Globally, Act Locally”	1
Defining Restavèk	7
Defining Human Trafficking	9
Trafficking Pattern	10
Defining Child Labor	11
What, How, Why: The Questions This Thesis Hopes to Answer	12
Conclusion	14
ChapTER ONE: methods and theories of identifying and classifying restavèk	17
Methods and Data Sources	17
Semi-structured Interviews	25
The Participants	26
Restavèk Stigmatization Impact on Data Collection	27
Participant Observation	30
On Advocacy	31
Textual Analysis	32
Theoretical Framework: What the Experts Say about Restavèk	33
Chapter TWO: Historical Particularities of Haiti	35
Slavery and the Church	37
Colonial Conditions	38
Race Hierarchies: Big Whites, Little Whites, Half-castes, and Blacks	42
Uphill vs. Downhill	46
Socioeconomic Status Indicators	49

On Land Ownership	54
Neocolonialism.....	57
Why the Poor Remain Poor.....	60
Chapter THREE: The Illusion of a better life	63
Theoretical Engagement of the Issues Introduced in <i>Anita</i>	67
Haitian Folklore Depicting the Suffering of Restavèks	69
A Real Story about a Restavèk Boy	71
Childhood Maltreatment in Haiti	76
Child Development Theories	78
Stigmatization.....	81
Why Take the Risk? Push and Pull Factors? Structural Vulnerability	83
Chapter FOUR: the law and its limitations.....	85
Adoption Laws and the Hierarchal Structure of the Practice.....	93
conclusion	97
References.....	100

LIST OF TABLES

Table	Page
Table 1: Number of children.....	53

LIST OF FIGURES

Figure	Page
Figure 1: TIP Tier Placements	19
Figure 2: Hierarchy of children in Haitian Household	23
Figure 3: Matinet.....	65
Figure 4: Slave Whip	65

LIST OF ABBREVIATIONS

<i>Institut Haïtien de Statistique et d'Informatique</i>	IHSI
International Abolition Federation.....	IAF
Internally Displaced Persons.....	IDP
International Labor Organization.....	ILO
International Monetary Fund.....	IMF
International Office for Migration.....	IOM
Minnesota Lawyers International Human Rights Committee.....	MLIHRC
North Atlantic Free Trade Agreement.....	NAFTA
Non-governmental Organizations.....	NGOs
Post-Traumatic Stress Disorder.....	PTSD
Trafficking in Persons.....	TIP
United Nations.....	UN
United Nations Environmental Program.....	UNEP
United Nations Mission for the Stabilization of Haiti.....	MINUSTAH
United Nations Office on Drugs and Crimes.....	UNODC
Victims of Trafficking and Violence Protect Act.....	TVPA
2WL.....	Tier 2 Watch List
3*.....	Auto downgrade from Tier 2 Watch List

ABSTRACT

RESTAVÈK: THE LIFE OF HAITI'S MOST VULNERABLE POPULATION AND THE FIGHT AGAINST CHILD TRAFFICKING

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George Mason University, 2015

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The purpose of my research project was to conduct an in-depth analysis of *restavèk*, a social system in Haiti where parents send their children off to other families that potentially can give them a better life than the one in which they were born into. Furthermore, this thesis analyzes the conditions that enable this social phenomenon to continue to exist. It is important to note that there is a debate as to whether or not *restavèk* is a form of child trafficking. Therefore, an examination has been conducted of the root causes of child trafficking, *restavèk* and the socioeconomic conditions that facilitate these problems. In doing so, this thesis endeavors to situate the *restavèk* phenomenon within the global definition of human trafficking. The primary population for this study is poor village dwellers in Haiti that send their children to relatives, friends and strangers for a “better life” with the urban dwellers that receive them. Part of this project is to understand how the concept of giving a child a better life may, at times,

resemble servitude—a reality that is less desirable for the well-being of the child. In severe cases, a child can be given to an overtly abusive family and is therefore in a worse situation. Using ethnographic research methods, this thesis will address the following three questions: 1) What are the larger cultural, economic, and political structures that create the conditions that compel parents to send their children to live with other relatives, friends and strangers where they might be vulnerable to human trafficking—and how are these factors correlated to socioeconomic-economic characteristics that influence family decisions around the well-being of the child? 2) How might the practice of child fostering as an opportunity for a better life lead parents to accept the risk of child trafficking? And, lastly, 3) Are the existing frameworks for understanding "human trafficking" appropriate or useful in studying restavèk?

INTRODUCTION: “THINK GLOBALLY, ACT LOCALLY”

January 2015 marked the fifth year anniversary of the 8.5 magnitude earthquake known in Creole as the *goudougoudou*—the sound of buildings shaking in the earthquake—that struck Haiti on January 12th 2010, claiming the lives of about 200,000 people and left approximately 1.5 million homeless. It was, however, as the *Economist* puts it, an “unhappy anniversary” (Unhappy Anniversary 2015:35). Since the country lies in the middle of the hurricane belt, it is subjected to severe storms from June to October, occasional flooding, earthquakes, and periodic droughts, and as was observed during the 2010 earthquake, possible tsunamis. The 2010 earthquake was followed by a cholera outbreak that resulted in the loss of thousands more lives. Haiti, already on the brink of being considered a failed state was devastated by these tragedies. It is important to note that amid political upheaval in 2004, the *Economist* referred to Haiti as “A Caribbean failed state”, but in the aftermath of the 2010 earthquake, it stated, “Haiti before the quake, though not quite a failed state, was a fragile one” (2004; 2015:35). Thus, in addition to the natural disaster, the Haitian populace suffered the burden of constant political and economic turmoil.

Even though Haiti is built upon a major fault line, residential buildings were not regulated by building codes, thus the houses were not built to withstand a high magnitude earthquake. As a result, the infrastructure of the capital city of Port-au-Prince was

severely demolished with nearly 300,000 homes damaged or destroyed, including government buildings, hospitals and roads. The effect on children was devastating with over 4,000 schools damaged or completely destroyed (Hillestad 2014). The damages severely impacted Haiti's economy, which was already on the brink of collapse following the disposition of President Jean-Bertrand Aristide in 2004 and one of the worst hurricane seasons that same year. The economic impact as well as the demolition of infrastructure increased the vulnerability of children and made exploitative child labor more likely. The likelihood of those with poor living conditions to endure social disparities which makes them even more vulnerable to suffering is interpreted as structural vulnerability in anthropology (Holmes 2013). As will be seen in Chapter 3, consistent with Haitian kinship structure children are at the bottom of the social hierarchy. Thus, the burden to alleviate the suffering associated with their lowly social positioning contributes to their vulnerability.

As of this year, as many as “85,000 people remain in tent cities” within the capital (*Economist* 2015:35). The uprooting of 1.5 million people created the opportunity for traffickers to prey on the most vulnerable women and children. The *Time* reported a story about a Haitian-American emergency consultant who witnessed a man in a pickup truck luring children into his truck by shouting *manje*—food. In the city of *Léogâne*, the informant claimed “she watched the hungry kids, four or five at a time, hop into the back of the pickup, which then disappeared” (Padgett and Ghosh 2010). The *Times* informant said she saw the same man again a few days later in Port-au-Prince. She asked the man, “What are you doing with all those children? ‘He said, don't worry, we're going to put

them in safe homes.' Then he drove off" (Padgett and Ghosh 2010). The informant feared that the children being picked up would become *restavèks*.

After the earthquake, there was a great deal of buzz in the news that well-intended foreigners seeking to adopt children created opportunities for traffickers to profit out of the poor people's misery (Addley 2010; Ferran and Harry 2010). Of course rumors were rampant at the time and as scholars suggests, rumors are often triggered by anxieties associated with natural disasters. In an article about restoration in Post-tsunami Japan, Takahashi (2011) discusses how people coped through fear of radiation by creating rumors. However, the fact that ten Americans were arrested and charged in connection with child trafficking did not help. The Haitian Prime Minister at the time, Jean-Max Bellerive told ABC News, 'They were arrested on the [Dominican Republic border] with children that were not theirs and that they had no papers for those children.' He added, 'For me it's not Americans that were arrested, it was kidnappers that were arrested' (Ferran and Harry 2010). The culprits, who were ten Baptist missionaries from an Idaho church group, claimed they did nothing wrong since the children were orphans. The official argued otherwise stating not all of the children were orphans and some were even asking for their parents. Other traffickers would claim that they found the children on the streets and the NGOs would put them up for adoption to U.S families without verifying if the children were indeed orphans. A week after the earthquake, *The Guardian* quoted an adviser for UNICEF stating that 'about 15 children had disappeared from hospitals, presumed taken' (Addley 2010).

Moreover, adoption processes were relaxed after the earthquake, and the U.S administration lifted visa requirements under the “humanitarian parole program” for children that were up for adoption by Americans making it even easier for child trafficking to occur (Thompson 2010; Williams 2010). The “humanitarian parole program” which will be discussed at length in Chapter 3 was also the center of controversy in adoption practices and concerns of child trafficking in the aftermath of the 2008 earthquake in China and in the wake of the 2004 tsunami in Indonesia (Thompson 2010). The relaxation of adoption laws coupled with an increased demand for adoption globally aggravated the problem—“The Joint Council on International Children's Services, a US advocacy organization [*sic*], said it had received 150 enquiries about Haitian adoption in three days, compared with 10 a month normally” (Addley 2010). The media reported, “Authorities also fear that legitimate aid groups may have flown earthquake orphans out of the country for adoption before efforts to find their parents had been exhausted” (Williams 2010). The loss of official records such as birth certificates also made it easier to commit adoption fraud. Williams (2010) claims that the adoption loopholes have been severed to prevent further trafficking of children. It is important to note that cross-border illegal adoptions were reported even prior to the earthquake by the United Nations Stabilization Mission in Haiti (MINUSTAH) in 2009 (The 2012 global trafficking in persons report 2011).

In addition to cross-border trafficking, the earthquake facilitated *restavèk* arrangement by families who were not able to feed their children, and better off families looking to take advantage of a disastrous event to gain access to free labor. Specifically,

parents who are unable to care for their children send them to relatives or strangers, for a better life. Even prior to the earthquake, it was not uncommon for poor parents, or single mothers, to accept another's promise to care for a child as if the child were their own. This practice is called *restavèk*. Despite these promises, many of these children end up being exploited as domestic servants. The economic motivators that influence family making decision in these circumstances will be explored in this thesis.

In the winter of 2014, four years after the earthquake, I participated in a Social Impact Study funded by the United Nations Environmental Program (UNEP) in Haiti on rural electrification. I saw how the earthquake worsened the situation for the most vulnerable. One man on the Ile reported losing his wife in the earthquake. Some left close relations behind in Port-au-Prince to escape the devastation. It was especially disturbing to see the children of poor families have become even more vulnerable to child labor (*restavèk*). One of the participants interviewed during the study had her nephew, whose mother is living in the capital, staying with her in the village. She explained that as a result of the earthquake, her sister could no longer provide for her son and therefore had to send him to the countryside for a better life. I was shocked by this reversal because I was expecting to hear of parents sending their children to live in the city and not vice versa. I observed the little boy and he seemed quite attached to his aunt. He looked healthy and had proper clothes even though he was barefoot (not unusual for children in the country side to run around barefoot). Although this may not have been a situation of *restavèk*, there were likely more of these arrangements that were not a fostering situation between kin, but rather exchanges between strangers. The ambiguity of the Haitian

household as is demonstrated in in Fig. 2 below might make it difficult to identify children that are domestic servants. Haitian households do not often conform to the familiar western nuclear family structure.

“Think Globally, Act Locally” is a UN initiative to fight human trafficking by encouraging people to consider the global impact of human trafficking and take action in their communities to bring awareness, prevent, and eradicate this inhumane practice. Human trafficking is a global problem with an estimated 20 million slaves worldwide (Department Of State 2014:3). The efforts to eradicate this practice span globally from national governments like the United States through its annual Department of State’s Trafficking in Persons (TIP) Report; international organizations like the United Nations Office on Drugs and Crimes (UNODC) Global Report on Trafficking in Persons (TIP); Non-governmental organizations (NGOs) such as the Australian-based Walk Free Foundation; celebrities like Ashton Kutcher’s “Real Men Don’t Buy Girls” video Campaign; and through the media with projects like the CNN Freedom Project. By taking a transnational approach to studying issues of forced labor and other human trafficking violations, valuable insights can be gained on how different nations are addressing the problem and can serve as models to curtail *restavèk* at the local level. *Restavèk* is an issue worthy of international attention, though the underlying question is whether or not *restavèk* as an accepted form of child labor is actually child trafficking, which is debatable.

Defining Restavèk

It is important to recognize that restavèk is a term that is sometimes used as a euphemism (or includes) human trafficking. Restavèk stems from the French words “*rester avec*” meaning “to stay with”. In literature, the word appears in two forms – *restavec*, in its French form and restavèk, the Creole version. Both forms are used interchangeably, but for the purpose of this thesis, only the Creole version will be used except when taken as a direct quotation. The many terms in the Creole language designated for children in domesticity—*timoun ki ret ak moun*—children who stay with people; *timoun k ap travay kay moun*—children working for people; *timoun kay madanm*—children at a Lady’s home; *timoun kay moun*—children at a person’s house, *ti domestic*—little domestic; and finally restavèk—meaning simply “stay with”—are indicative of how widespread the practice is and the general perception of those children. Translated from a French text published by the ILO on the practice, the restavèk term is said to be “the one that depersonalized the individual the most; it mentions neither sex nor age, nor job or function. It reflects only the condition; the word does not mean, strictly speaking, a person. This term is often associated with a modern form of slavery”(Mon travail à moi c’est l’école 2002:10).

The term restavèk generally has a negative connotation, which means, just a child staying with us, not a part of the family (Anderson et al. 1990: v; Parreñas et al. 2012: 1024). A restavèk is often referred to as a slave child, with various Haitians characterizing the practice of restavèk a “vestigial form of slavery” (Anderson et al. 1990: iii; Cadet 1998). In short, restavèk is the term used for children in forced domestic service in Haiti, laboring in conditions akin to indentured servitude.

The practice of *restavèk* is not unique to Haiti. It is a custom of child fostering practice in many societies, including some in West Africa, where children are placed in the households of influential friends and relatives who will help the child get ahead in the world (Gozdziak 2008). In Benin this practice is called *Vidomegon*. The Trafficking in Person (TIP) report describes *Vidomegon* as “a tradition ostensibly to offer children educational and vocational opportunities by sending them to wealthy homes, but instead is often used to exploit children in forced labor” (2014:9). In Nigeria, “Poor families have traditionally sent boys and girls they have trouble feeding to work in wealthier homes. Sometimes, this is benign: a form of fostering that gives the child a better start in life. But sometimes it is thinly-veiled slavery” (Department of State 2014:3). Coincidentally, like *restavèks*, the trafficked girls in Nigeria are tricked as “they believe they will work as hairdressers, or further their studies,” but instead end up furthering the sexual fantasy of older men in Italy and Spain (*Economist* 2004). The *Economist* claims that in Nigeria, children are trafficked for domestic work, sex and body parts. Like in Haiti, as will be seen in Chapter 3, laws are laxly enforced, and few Nigerians think it is wrong, so it generally goes unpunished and the problem continues.

However, before the human trafficking label is ascribed to *restavèk*, it has to be weighed against the definition. The fundamental questions that have to be asked are: Are the children “staying with” relatives or strangers in a foster care or are they domestic servants? Are they subjected to forced labor? Does the work they do around the household constitute child labor or are they just ordinary chores? To answer these questions, the definition of human trafficking has to be analyzed and some of its patterns,

particularly child labor, have to be examined. Specific cases of child labor have to be studied and compared to restavèk cases to determine if restavèk meets the definition of child labor, a form of human trafficking. If the findings reveal that restavèk is indeed a form of human trafficking then the better life parents hoped to secure for their children is not a reality but an illusion.

Defining Human Trafficking

Human trafficking is not a new phenomenon, particularly when it comes to women and children. The sexual exploitation of women has always been part of human history. Centuries old literatures even reference the practice, when it used to be called the “White Slave Traffic,” referring specifically to the traffic of white women for the purpose of prostitution (Bell 1910:13). British activists Josephine Butler launched the first campaign against sex trafficking when she founded the International Abolitionist Federation (IAF) in 1875, an organization that viewed the exploitation of women in prostitution as another form of slavery (Gozdziak and Collett 2005; Summers 2006). The term “human trafficking,” referring specifically to sex trafficking (formerly “white slavery”) is a relatively new term—although it is not new in practice. The IAF’s abolitionist movement expanded to “include the traffic of women and girls within national borders” in 1910 (Gozdziak and Collett 2005:100). The movement continued to expand in the twentieth century to include boys and later other forms of trafficking. Gozdziaak and Collett wrote, “In the 1990’s trafficking in human beings, particularly women and children, reappeared on the agenda” (2005: 101). The term human is likely used to encompass all since modern day slavery is not exclusive to sexual trafficking.

There are many other forms of slavery, chiefly labor exploitation, which extends to children as well.

Trafficking Pattern

It is important to note that *restavèk* is not the only form of human trafficking in Haiti. According to the Department of State, “Women and children living in Internally Displaced Persons (IDP) camps set up as a result of the 2010 earthquake were at an increased risk of sex trafficking and forced labor” (2013: 187). The United Nations Office on Drugs and Crime (UNODC), which is responsible for implementing the Palermo Protocols designed to suppress human trafficking as defined in Chapter 3, publishes the annual *Global Report on Trafficking in Persons*. This report includes an overview of trafficking patterns, reported cases of trafficking in persons by country, and prosecutions resulted from these cases. The report states that during the period of 2007-2010, 60-65% of the detected victims were women while around 27% were children. The *Global Report on Trafficking in Persons* identifies the various forms of exploitation among all trafficking victims detected globally as sexual exploitation 58% and forced labor 36%, while begging and trafficking for the removal of organs account for the rest (2011:7). The U.S TIP report warns against telling only half of the story. It asserts, “When media report on only one type of human trafficking, the public is left with only part of the story. Human trafficking includes sex trafficking, child sex trafficking, forced labor, bonded labor, involuntary domestic servitude, and debt bondage” (Department of State 2014:30). To restrict analysis of human trafficking to sex trafficking is to ignore the other patterns of human trafficking victims, which are equally damaging to society.

The U.S TIP report confirms that most of Haiti's human trafficking cases are *restavèks* ((Department Of State 2014). By acknowledging that forced labor, specifically child labor, is not only prevalent but at times more prevalent than sexual exploitation in certain countries, the international community can put as much emphasis toward the prevention and eradication of forced labor globally.

Further, Haiti is a source country for migrant workers for its neighbor country the Dominican Republic, where Haitians, primarily men are subjected to the most severe work conditions (Martínez 1995). Haitian migrant workers accept the risks associated with working in subpar conditions in DR's sugar estates because of economic constraints at home. Both the family decision-making, and the individual economic motivator theories as a risk mitigation strategy that is prevalent in studies about Haitian migrant laborers in DR, are applicable to the study of child labor in Haiti, and will be discussed at length in Chapter 3.

Defining Child Labor

The International Labour Organization (ILO) defines child labor as “work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development”(What Is Child Labour n.d.). The ILO considers only work performed in the home of a third party or employer constitute domestic child labor but UNICEF construes that the domestic work in the child's own home can be considered child labor as well. These standards, although ambiguous, should set a benchmark to determine whether *restavèk* is a form of child labor. Furthermore, ILO's Convention No. 138 set the minimum age standard to enter the work field at no “less than

the age of completion of compulsory schooling and, in any case, shall not be less than 15 years.” Every country has its own standard for what is considered acceptable in terms of child labor, particularly because the ILO allows for countries with insufficient economic means to be flexible in adherence to the convention. The minimum age children can work as a domestic worker is twelve and under Article 341 of the Haiti Labour Code (*code du travail*) and therefore is not consistent with ILO’s “under 15 years” standards (Anderson et al. 1990). The compulsory age for education in Haiti is six to eleven as mandated by the constitution thus the age limit of twelve meets the ILO’s compulsory schooling benchmark. The United Nations Human Rights Convention on the Rights of the Child established in Article 32 give children the right “to be protected from economic exploitation; and from any work that is likely to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development”. The ILO recognizes that children engaged in productive work can be beneficial to their future, however, the nature of the work and the age at which this work is undertaken can be counterproductive to the social development of a child, especially if that child is being deprived of a formal education. These stipulations beg the question of whether or not the work performed by *restavèks* construes child labor.

What, How, Why: The Questions This Thesis Hopes to Answer

My own subject positioning as a student of anthropology and a Haitian who has witnessed and experience much of what I write about informs the narrative that I will develop in this thesis. The bulk of my research took place in Haiti both in village and urban settings. Using ethnographic research methods —interviews, participant

observations, textual and visual analysis my thesis addresses three research questions: 1) What are the larger cultural, economic, and political structures that create the conditions that compel parents to send their children to live with other relatives, friends and strangers where they might be vulnerable to human trafficking—and how these factors correlated to socio-economic characteristics that influence family decisions around the well-being of the child? The anthropological concept of structural vulnerability is used to explain the effect of social inequalities inherent in Haiti’s distinct historical past on the poor. 2) How might the practice of child fostering as an opportunity for a “better life” lead parents to accept the risk of child trafficking? Children of the poor are exposed to the worst living conditions in Haiti. If they survive infancy, they are likely to face malnutrition, health issues, and child abuse. They have limited access to education, health and the basic necessities to live a normal life (Anderson et al. 1990). Poor people accept less desirable risks in order to reduce their suffering. Structural vulnerability, which is the likelihood of the poor to suffer as a result of their economic disadvantage, is a major risk taking factor. This thesis also explores the influence of push and pulls factors in the risk assessment of restavèk. And, 3) Are the existing frameworks for understanding “human trafficking” appropriate or useful in studying restavèk? The Minnesota Lawyers Committee, one of the first international actors to contribute to the discourse on restavèk view “the practice of restavèk as a serious human rights issue that violates a number of international legal conventions”, including the Palermo protocol against child trafficking, which Haiti has ratified (Anderson et al. 1990). From this standpoint, the abusive nature of the work that many restavèks are forced to endure suggests a trafficking context. As

will be demonstrated in Chapter 3, the living and working conditions of restavèk are akin to indentured servitude. They are excluded from school, a circumstance that translates to trafficking in accordance with international laws. Finally, the overall purpose of this study is to explore the socioeconomic conditions of child labor—how the parents' desire to give the children a "better life" turns into a situation of child labor and trafficking—and how restavèk fits within the broader spectrum of human trafficking. As part of this, the thesis examines “better life”/child labor dichotomy and the social and economic forces behind its creation and continuation.

Conclusion

This research focuses on restavèk and presents an analysis that considers the role of gender, class, racial/ethnic and national inequalities that enables this practice to exist. Chapter 2 analyzes the historical particularities that have promoted the conditions that allow modern day slavery in Haiti to continue to exist. The factors that enable human trafficking to occur varies but are often linked to political economy, labor demands and socioeconomic conditions (Anderson et al. 1990; Rodriguez 2011). Human trafficking is a lucrative business that generates financial gains for its practitioners. Similarly, restavèk as a form of human trafficking provides financial relief to the host family who does not have to pay for labor as well as the parents who sometimes benefit financially from the arrangement (i.e., one less mouth to feed). The Minnesota Lawyers Human Rights Committee states, “profit to the child’s real parents does not seem to be a motivating force—or feature—of restavèk”(Anderson et al. 1990). While there might be little in the form of tangible values in the restavèk exchange, there is some intrinsic values especially

in cases where the parents believe that the child will be better off. Chapter 2 explores the living and working conditions of restavèk. It demonstrates the juxtaposition between sending parents' expectations and the reality.

Chapter 4 introduces the laws enacted to address human trafficking and discusses the different government initiatives being taken to combat human trafficking, including the U.S. Department of State's annual *Trafficking in Persons Report*, the United Nations' Palermo Protocols, and the International Labour Organisation labor laws. These organizations will be analyzed because they are instrumental in the prevention of human trafficking and the protection of victims. These organizations have collaborated with one another to provide aid, implement programs to identify child trafficking victims, and provide shelter and education to them. Some are focusing their efforts on campaigns to educate rural parents about the real risks of sending their children away and making education available for rural children.

In summary, most narratives have conceptualized human trafficking through narrow lenses focusing their attention primarily on the trafficking of women and children for the purpose of sexual exploitation while other forms of labor, slavery, and trafficking of men and boys have been largely ignored (Parreñas et al. 2012; Gozdzia 2008). Popular news coverage has mostly abstracted human trafficking in terms of sex trafficking, involving mostly girls. Another obstacle faced by scholars studying trafficked children is separating "children" from young adults and including trafficked boys in the studies (Gozdzia 2008). The common assertion that most restavèks are girls is unfounded, since 38 percent of restavèks are boys (Hatlø 2005:23). Although many

forms of trafficking exist, this thesis focuses primarily on trafficking of children for involuntary labor. It contributes to the literature on human trafficking by opening up the definition through an examination of restavèk.

CHAPTER ONE: METHODS AND THEORIES OF IDENTIFYING AND CLASSIFYING RESTAVÈK

Methods and Data Sources

The early generation of anthropologists including Malinowski, Radcliffe-Brown emphasized intensive fieldwork for the collection of ethnographic data (Malinowski 1939; Radcliffe-Brown 1940). The catechism of ethnography became participant observation in which social scientists immerse completely into the language and culture of the society they study. Ethnographic fieldwork was to be approached through three avenues: documentation, observation and statements from the natives. In this tradition, this thesis attempted to use ethnographic research methods —interviews, participant observations, textual and visual analysis to address key questions about restavèk and to situate it into the larger discourse on human trafficking.

However, there is not enough ethnographic data to produce generalization of restavèk. Even the statistical data available on human trafficking are gross estimations and are sometimes outdated. Scholars contend that it is difficult to find primary data on the prevalence of human trafficking. Gozdziaik and Collette (2005) wrote, “We have already discussed the lack of precision and methodological transparency in providing estimates of the number of trafficked victims in North America” (116). This dilemma is not exclusive to North America. If social scientists find it difficult to obtain reliable data on the extend of human trafficking in the United States for example which possesses the

most advanced technological tools, imagine the challenges in gathering data in countries like Haiti which lacks the most basic infrastructures. The lack of reliable empirical evidence on the extent of human trafficking renders it difficult to conduct secondary research on the diverse patterns of human trafficking. The number of modern day slaves that is most commonly cited is 20 million worldwide (Department of State 2014) but where does this estimate come from? The flaw with human trafficking statistical data is the same as with any illegal crime that happens in the underworld away from the prying eyes of authorities; it is simply difficult to uncover illicit networks and to identify their victims because human trafficking is generally underreported. Further, the shame and stigma attached to being a victim of trafficking is likely to deter self-reporting.

Perhaps the most comprehensive guidelines on human trafficking is the Department of State's (TIP) report, which assigns a tier rating system to countries based on their compliance with trafficking laws (Gozdziak and Collett 2005; Gozdzia 2008). The tier system does not measure incidents of human trafficking. It merely shows to what extent a country is in compliance with the Victims of Trafficking and Violence Protection Act (TVPA) of 2000's minimum standards as discussed in Chapter 4. The tier placements are Tier 1, Tier 2, Tier 2 Watch List (2WL), Tier 3 and Tier 3*(auto downgrade from Tier 2WL). This tiered system is concerned more with local government action to combat trafficking and less with human trafficking incidents. A low ranking does not mean the absence of trafficking incidents. For example, Tier 1, the best ranking, merely indicates that a government has acknowledged the existence of human trafficking, has made efforts to address the problem, and meets the TVPA's minimum standards.

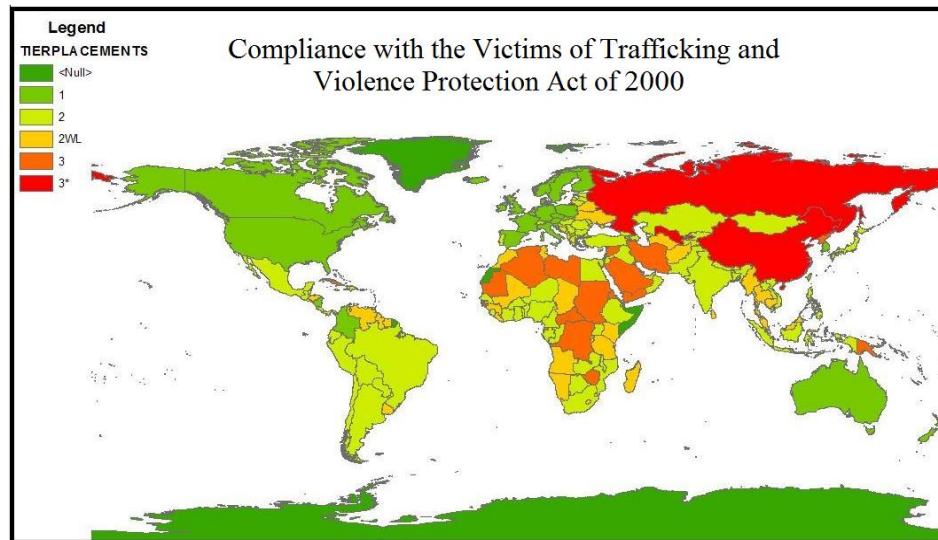


Figure 1: TIP Tier Placements

First world countries such as the United States, Canada, Western Europe and Australia have the best tier rating because they follow the guidelines of the act by criminalizing and reporting incidents of human trafficking (Department Of State 2013). However, contrary to what the data appears to show, first world countries are not entirely rid of human trafficking (see Fig 1.). Haiti is in the Tier 2WL (see Fig. 1), with an estimated 150,000-500,000 children in domestic servitude (Department of State 2013: 187). During the 2013 reporting period, the government identified approximately 1,000 victims of trafficking and referred those victims to NGOs that provided shelter, food, medical, and physiological support (Department Of State 2013:188).

In the 2014 TIP report, Haiti is still listed as a Tier 2WL, however the estimated number of children engaged in domestic work is omitted from where it was reported to

have been approximately 150,000 to 500,000 in 2013. The report merely states, “Most of Haiti’s trafficking cases consist of children in domestic servitude” (Department of State 2013:187; 2014:195). The report explains that Haiti received a 2WL ranking because the government took action to combat human trafficking through collaboration with international organizations and foreign aid agencies. The translator provided by UNEP for the social impact study claimed that the Haitian government has taken proper measures to regulate *restavèk*, a fact that was at odds with the 2013 TIP reports published at the time. This is cause to wonder if the omission of the number of children in domestic servitude in Haiti from the 2014 TIP report is not the result of pressure from the Haitian government, or due to the lack of empirical evidence, or a combination of both. The 2014 TIP Report also admitted, “In recent years, a number of reports about trafficking have relied on misinformation and outdated statistics” (Department of State, 2014: 30). It is not clear whether the department was admitting that its own report could have contained misinformation and outdated statistics but that is a possible explanation for the omission of the exact number of children in domestic servitude in Haiti. The report acknowledged however, that it’s a “numbers game” and that “reliable statistics related to human trafficking are difficult to find” (Department of State, 2014: 30). My efforts to obtain the data set used to write the opinions in the TIP report have thus far been unsuccessful.

Although the United States Department of State and international organizations like the United Nations (UN) have put pressure on sovereign nations to curb human trafficking, these organizations still rely on states and individual nations to comply with international laws that mandate the reporting of human trafficking incidents. The data

compiled by organizations like the International Office for Migration (IOM) and the United Nations Office of Drugs and Crime (UNODC) for example are based on cases they assisted with and cases that were voluntarily reported. Developed countries with more reliable and more accessible internet have better capacity to report incidents than less developed countries. Thus, the number of victims detected globally might be inconsistent with reality. For instance, the data may show a higher proportion of sexual exploitation in relation to forced labor, because sexual exploitation is a more common form of trafficking in the countries that most often report cases of trafficking. Forced labor might be more prevalent in third world countries, but because these countries lack the technological tools for reporting, it does not appear to be the prevalent form of exploitation at a global scale.

The Australian-based Walk Free Foundation which publishes the annual Global Slavery Index, commissioned Gallup Inc. to conduct random-sample surveys in only seven countries for the 2014 report. The data on the remaining countries were from pre-existing surveys or a review of secondary sources as was the case for 58 countries out of the 167 countries analyzed. Haiti was not part of the seven countries for which a new survey was undertaken. The numbers of people living in modern slavery in Haiti as reported in the Global Slavery Index are estimates based on secondary sources.

According to the 2014 Global Slavery Index, that number is 237,700—“equivalent to 2.3041% of the entire population.” Restavèk cases account for most of that number. Haiti ranks “3” in terms of slavery prevalence in the world(Global Slavery Index 2014:72).

The latest most comprehensive survey that was undertaken on the conditions of child domestic workers in Haiti was “in 2001 by the *Institut Haïtien de Statistique et d'Informatique* (IHSI). The sample of the [Haiti Living Conditions Survey] is a stratified cluster sample of 7,8 12 households, with a response rate of 97.8” (Hatløy 2005:13 italics added). Only the adults, who took care of children that they received through the process of restavèk, were surveyed. During this study, the authors found it to be difficult to directly ask about children conducting domestic work as “many respondents would not admit they have restavèks or child domestic workers, in their households” (Hatløy 2005:13). As explained later, I faced a similar dilemma while attempting to survey the vulnerability of rural children to restavèk in Haiti. It should be noted that the participants of our study did not deny the existence of restavèk but rather were ashamed to talk of it.

The IHSI study characterized child domestic workers as “children not living together with their parents, who have a very high workload of domestic work for their age, and have not achieved an education level corresponding to their age” (Hatløy 2005:13). Using these criteria, the study found that close to ten percent (9.8%) of children between the age of five and eighteen were child domestic workers or restavèks. According to UNICEF, the prevalence of children engaged in child labor is more than twofold the estimates of the IHSI survey. It claims that 24.4 percent of Haitian children between the ages of five and 14 were engaged in child labor from 2002-2012. This tremendous variance in statistics might be explained by the fact that UNICEF is accounting for more than just child domestic workers—restavèks. Nonetheless, with an

estimated 250 million child workers in the developing world, according to Hatløy (2005), Haiti shares a very significant proportion of the global child trafficking burden.

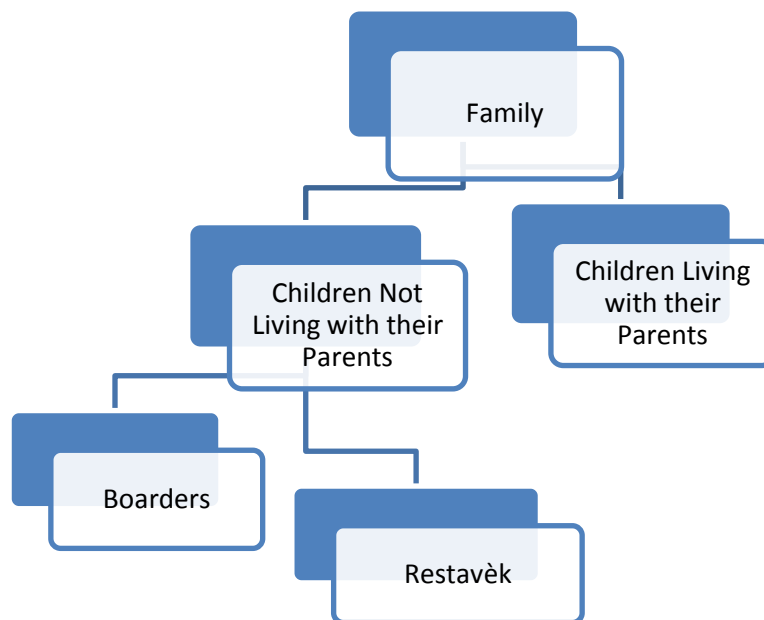


Figure 2: Hierarchy of children in Haitian Household

It is important to note that the IHSI study found that only half of the children not living with their parents were restavèks which implies the other half enjoyed living conditions akin to fostering (Hatløy 2005:14). The children found in the households studied were categorized in two groups: Children living with their parents and children not living with their parents. Of the children identified as *not* living with their parents, half of them were characterized as child domestic workers or more aptly restavèks. The other half, although they are not clearly defined can be assumed to be either boarders or children in foster care based on categories identified in other studies (Anderson et al.

1990). Boarders are treated like the children living with their parents because their biological parents pay for the upkeep. Typically, they are placed with the receiving family for access to upper level education not available in the country side. They return home during school breaks and have regular contact with their parents. It would appear that restavèks are at the bottom of the family hierarchy chart (see Fig. 2). Receiving families do not receive any payments for restavèks and normally all contact with the real family is severed once the placement has been made.

The author's deduction from the study is that while child domestic workers have heavier workloads and are deprived of an education for their age, they are not worse off in every aspects of life (Hatløy 2005). This conclusion was based on the findings that child domestic workers were not punished more, ate less or had worse health than the other children of the household. However, the limitation of those findings, as was demonstrated by the unwillingness of the receiving families to identify children as domestic workers, is that their admittance to the amount of food the children eat or their health status might not align entirely with the reality. This limitation is acknowledged in the editor's note of the article. It is written that while the data itself is from reliable sources, the children were not included in the sample size. For that reason, the author suggested several sources depicting the worst treatment of restavèks, to wit: "sexual violence, corporal attacks, poor sanitary and sleeping conditions, limited daily food ratio, limited (if any) schooling" (Hatløy 2005:24). These conditions as documented in fiction and reality (see Anderson et al. 1990; Cadet 1998; Anita 1980; Sixto 1940-1960), result in malnutrition which affects the physical and mental development of the child. In spite

of the difference in interpretations in Hatløy's article, the IHSI study it is based on provides an extensive survey on the prevalence of restavèks. Notwithstanding the shortcomings of the data collection of the above mentioned studies, this thesis is informed by them and also partly by the data extracted from interviews conducted during a 2014 Social Impact Study in Haiti, participant observations based on human trafficking events attended in the DC area, textual and media analysis.

Semi-structured Interviews

The interviews analyzed in this thesis are part of an interview series that included 41 interviews of 106 participants conducted over a five-day period during a visit to Haiti in February and March 2014. Due to time constraints in the field, interviews were conducted in groups of two, three, or four participants. I conducted the fieldwork in conjunction with two other George Mason graduate students in Anthropology. They were conducting a social impact study of a project started in 2009 by a non-profit organization called Sirona Cares, which provides solar electricity to inhabitants of rural Haitian villages who have never had electricity. They sought to answer broad and core questions of how everyday life changes when solar electricity becomes available to a group of people for the first time. Since I was in a milieu where I thought children might be vulnerable to being recruited for restavèk, I took the opportunity to question individuals and families about their possible involvement in the social phenomenon. Through these interviews, I collected data on children and the socioeconomic conditions of participants;

even though rural electrification was a main focus of the interviews, I did not include it in my data analysis unless it was relevant to restavèk.

The Participants

The participants were village dwellers. Sirona Cares recruited their electricity program participants for the study. This sample included individuals and families from three villages in the southwestern region of Haiti: Île, Saint, and Léo. Even though the population of interest is children, minors were not included in this sample. I instead interviewed the parents of children thought vulnerable to child labor. The interviews were conducted face-to-face at participants' homes. Both men and women participated in the study. The interviews were mostly gendered segregated for the exception of a few. The men made up a majority of the sample size with approximately 52% representation. This might be interpreted to mean that men as the breadwinner are the decision maker of the household. According to the Encyclopedia of Social Work, in Haiti, "men are expected to be heads of the family". It further asserts, "although Haitian women are accustomed to working outside of the home and contributing to the revenue of the household, their primary responsibilities still include child-rearing and housekeeping matters" (Mizrahi and Davis 2008:310-311). That assertion is corroborated by the testimonies of the women participants. Most of the women represented in the sample even though identified as housewives had a small capital venture either selling goods at the house or at the market. It is unclear from this sample size however, which gender represents the household head or whether that responsibility is shared equally amongst the sexes.

Restavèk Stigmatization Impact on Data Collection

For my part of the study, I developed interview questions that would not only help me address the overall research questions for my thesis, but would also provide an overview of children vulnerable to child trafficking in Haiti. I had prepared the following questions to ask: how many children they have, the age of the children, and if any of their children have been sent to the town/city to "stay with" friends or relatives. The primary goal of this part of the study was to determine a scale of children in vulnerable situations that are being sent to stay with friends, relatives, and strangers. The questions were designed as open-ended to allow some flexibility and exploration of other topics of my participants' choosing.

As previously stated, I traveled to Haiti to support two other students in their study of rural electrification so my role was more of a support staff than a primary contributor. Since we had a very large number of participants, we split up in two groups of interviewers. Being a native speaker, and with the absent of one of the translators UNEP originally commissioned, I was volunteered to act as a translator. I was paired up with one of my classmates, and UNEP assigned a translator to the other student. Not having spoken Creole on a day to day basis for the previous ten years, the task was daunting. I asked the questions in Creole (The interview guide was translated from English to Creole before arriving to Haiti). I then translated the responses in English to my co-interviewer who took notes. She sometimes interjected with a follow-up question, so I would have to translate her questions in Creole for the participants and translate the answers back to her in English.

This exercise was exhausting and I lost my voice entirely by the time I returned to the United States. I had a terrible sore throat for days. The first day alone, we interviewed 18 people as part of a focus group. The participants were split into two groups of nines. In the village of Île, where we spent a day and a half interviewing, we interviewed 40 people total, 18 of whom were part of the two focus groups on the first night. At Saint, we conducted a combined 34 interviews. In Léo, we interviewed 31 participants. Total, our sample size composed of 106 participants. As already noted, for the exception of the two focus groups in the afternoon we first arrived to the site, the rest of the interviews were conducted by ones, twos and threes and sometimes fours to save time. Each pair of interviewers' saw between 11 to 18 participants a day for an average of about 6 interviews a pair. Each interviews lasting anywhere between 45 minutes to one hour. Due to time constraint and the number of participants willing to participate, the questions were not posed in the order listed in the interview guide; most were revised, while some were skipped altogether. Unfortunately since my questions were the least relevant to the study at hand, my questions were often cut. I did my very best to fit in a few questions about children and while I gathered data on the number of children the participants had, and whether the children lived at home or were away, I hardly had the opportunity to pose my questions about whom the children were sent to live with.

While time was definitely complicit, it was the opposition of the UNEP translator to my research topic that prevented me from gathering data on the whereabouts of the children whom the parents reported did not live with them. The UNEP translator opposed my research from the onset and suggested I researched another area. He was not

particularly interested in asking participants whether their children were sent to live with another at all even after I explained we could refrain from using the word *restavèk*. That in itself would have been difficult because “stay with” literal translates to *restavèk*, thus it is practically impossible to ask “Have you sent any of your children to “stay with” relatives, friends, and strangers” without using the term *restavèk*. If participants responded that they had children, I asked, “How many?” If yes, “Do they live with you?” If not, “*where are they?*” This question was problematic because, the answer would always inevitably be a location rather than who they live with. The follow up question would be, “do they live in [city identified] alone?” If time permitted and we arrived this far into the interview, we found instances where the children lived on their own, with the oldest supporting the young, and with relatives.

Based on the data collected, 24 participants said some or all of their children were living away from home in the city, whether independently, with relatives or unknown. It is important to note, of the 106 participants interviewed, there is no data on children for 12 of them. For 29 of the participants, we only have data on the number of children they have. Thus, if we take the average of the number of participants whose said their children were not living with (24) from the number of participants for whom we know the whereabouts of the children (65), then more than one third (37%) of the parents had children that are possibly vulnerable to *restavèk*. Children can be engaged in domestic service even in the homes of their relatives, although they fare better when placed with kin (Anderson et al. 1990), so for that reason I have included the parents who said they send children to relatives in that calculation. However, not knowing the specific

circumstances of the children not living with their parents, it is difficult to make assumptions about their vulnerability. Scholars who have written extensively on the subject measure vulnerability based on the living conditions at the receiving families' home (Hatløy 2005) but some argue that the vulnerability starts with the sending families, who are typically poor peasants. The necessity to send one's children away in the first place, whether for an education or a better life translates to vulnerability (Anderson et al. 1990). In conclusion, while some of the interviews contained some of the data I had wished to abstract, most omitted my questions entirely. The data collected from the study while constructive in framing socioeconomic patterns in Haiti, falls short in addressing my research question about the vulnerability of poor rural children to *restavèk*. The thesis refrains from using the data gathered on the children of the families interviewed in order to avoid making sweeping generalizations about the vulnerability of these children.

Participant Observation

Due to financial restrictions and not being able to return to Haiti to conduct more fieldwork to substantiate my research on *restavèk*, I conducted fieldwork in the Washington, D.C. area. While there is a vibrant discourse on human trafficking in this locality due to the number of non-profits and advocacy groups and the presence of the federal government, it revolves mostly around sex trafficking. For this half of my fieldwork, I used the common anthropological method of participation observation in order to understand the larger issues of human trafficking. Using this method, I was actively engaged in the events that I attended. I took handwritten notes of conversations and recorded pertinent segments such as speeches. I felt that I did not get to observe the

restavèk and human trafficking phenomena in their full capacity as Malinowski (1939) prescribed since most of the people observed were advocates who like me are trying to get a better understanding of these issues. The TIP report also encourages participant observation when seeking to tell survivors' stories. It suggest that while interviewing survivors might be an effecting tool to understanding human trafficking, the reporter should "spend time with survivors, get to know them as people, and follow up even after the story is complete" (Department of State 2014: 30). Getting to know the people you are writing about removes the *otherness* aspect of ethnography.

On Advocacy

One of the human trafficking event attended as part of my fieldwork was an event sponsored by the United Nations Association- North Capital Area (UNA-NCA) titled "Combating Human Trafficking Globally and Locally: What YOU Can Do About It." A panel of global and local experts convened to discuss what the typical person can do to fight the world-wide human tragedy of trafficking. The panel discussion was followed by a resource fair featuring organizations focused on eradicating and addressing the effects of human trafficking. Observing others in the anti-trafficking campaign negotiating trafficking issues exposed me to the different narratives being created about human trafficking, such as what they think constitutes trafficking and the motivation of those putting themselves in situations that could lead to being trafficked. This is not only a study of the marginalized and their oppressors, it is an analysis of the activists who are socially and politically engaged in discourses as well as policy decision making surrounding issues of exploitation. The discourses crafted by these different actors can

influence how the general public understands the issues. The knowledge that is passed down, even if socially constructed can be interpreted as universal truths. The implications of this can be significant, especially if policies affecting the civil rights of people are born of this knowledge.

In addition, in October 2014, as part of my fieldwork, I participated in a Stop Modern Slavery Walk Fest, which took place near the Washington Monument in Washington, DC. The event was organized entirely by the community volunteers of DC Stop Modern Slavery. Of note to this research was a speech by David Diggs, the Executive Director of *Beyond Borders*, a nonprofit organization working to end child slavery and prevent violence against women and girls in Haiti. *Beyond Borders* is another source that claims as late as October 2014 restavèk still exists in Haiti (contrary to what the UNEP translator in Haiti claimed in February 2014). It is stated on the website of the self-proclaimed faith based organization that it has been working since 1993 in Haiti to end restavèk and put the number of restavèks at 250,000 (Ending Child Slavery n.d.). While engaging, the fieldwork in Washington D.C, which focused more on sex trafficking failed to yield substantive data that is relevant to my research questions.

Textual Analysis

To make up for the empirical shortcomings, this research uses data from a variety of documents that are publicly available, including: academic literature, information on human trafficking, child labor, and the media, chiefly news articles. The News articles which focus primarily on the devastating earthquake and its effect on child trafficking and restavèk are abstracted from online periodicals such as *Time*, the *New York Times*,

and the *Guardian*, and from Prints such as the *Economist*. The Department of States' TIP and the UNODC's Global TIP report is the benchmark of my textual analysis. From them, the definition and data on the scale of global human trafficking activities are abstracted and analyzed. The data is substantiated with information taken from the website of these Governmental organizations and other Non-Governmental Organizations (NGOs), such as the International Labor Organization (ILO) and UNICEF. Some, albeit, very limited data is drawn about restavèk from these sources. Revolutionary classics and literature on negritude are used to analyze the historical context of the situation in Haiti (see James 1963; Césaire 2000).

Theoretical Framework: What the Experts Say about Restavèk

The lack of scholarly material on restavèk suggests that it is an under explored social phenomenon. Parreñas et al. (2002) argues that the literature on human trafficking in general is lacking studies on other groups identified as vulnerable to trafficking, to wit, domestic workers, a category under which restavèk falls. This thesis evaluates several publications that broach the subject of restavèk. The literature can be organized thematically into three main perspectives: the framing of restavèk as a human trafficking concern (see Anderson et al. 1990; Parreñas et al. 2012) the cause and effect of development on child labor or restavèk (see Andersons et Al. 1990; Nieuwenhuys 1996); and the examination of current legislations and their effectiveness in addressing child labor or restavèk (see Andersons et Al. 1990; Gozdziaak and Collett 2005; Parreñas et al. 2012; Nieuwenhuys 1996). This research also examines several ethnographies on transnational and adoption issues which are relevant in light of the adoption scandals in

the aftermath of the 2010 earthquake (see Holmes 2013; Seligmann 2013). The themes of structural violence, symbolic violence and social murder as introduced in Holmes' ethnography are applied in the understanding of the social inequalities that allow restavèk to exist. The economic and labor division in Haiti is analyzed through an understanding of Caribbean models (Mantz 2007; Martínez 1995; Wilson 1973).

CHAPTER TWO: HISTORICAL PARTICULARITIES OF HAITI

Christopher Columbus landed first in the New World at the island of San Salvador, and after praising God Inquired urgently for gold.

C.L.R James

Once known as “the pearl of the islands,” Haiti is now the poorest country of the western hemisphere. Haiti’s past is deeply rooted in slavery and the social inequalities that emerged out of centuries of colonial rule has allowed slavery conditions to continue in the very first black republic of the new world to this date. Following centuries of colonial rule by the French, Haiti achieved independence in 1804, a mere 70 years after the United States gained independence from England. Though, with slavery still legal in many states, and the fear that Haiti’s revolutionary success would influence a slave revolt in the states, the United States did not recognize Haiti’s independence. Hereafter, Haiti experienced many periods of invasion and political Domination by outside powers. Dictators intermittently ruled the country with sporadic occupation by the United States. Still, Haiti deteriorated under centuries of autocratic rule. After so many political upheavals, western investors kept their distance. Political incompetence coupled with economic instability also meant the absent of tourism.

The Republic of Haiti, a Caribbean country, occupies the western, smaller portion of the island of Hispaniola, called so by the Spaniards who annexed it. Located in the

Greater Antillean archipelago, Haiti is positioned between the Caribbean Sea and the North Atlantic Ocean and borders the Dominican Republic, which occupies the eastern two-third of Hispaniola. In size comparison, Haiti is slightly smaller than state of Maryland. Being a former French colony, the two official languages are French and Creole which is a medley of French and African dialects.

The Spaniards colonized the island in 1493 but Spain ceded the western part of Hispaniola to France in 1695. France named that part of the Island Saint-Domingue, known as Haiti today. During a book signing event at the Library of Congress on October 13, 2014, on the occasion of Columbus Day, one of the authors of a new book "Christopher Columbus Book of Privileges: The Claiming of a New World," which contains the first written reference to the New World, essentially to Haiti, Daniel De Simone pointed to a map of the northern coast of Hispaniola, thought to be the only surviving map drawn by Columbus in early 1493. Every Haitian school child knows the song "la Niña, la Pinta et la Santa María", which tells the story of Columbus' first voyage to the new world which landed on October 12, 1492 first in San Salvador, the Bahamas today. CLR James (1963) writes that the natives of San Salvador, Red Indians, peaceful and friendly directed Columbus to Haiti a large Island they said was rich and yellow with gold. It was not until the second voyage, which lasted from September 1493 to June 1496 that Columbus colonized the island of Hispaniola. "Christopher Columbus Book of Privileges: The Claiming of a New World", contains copies of a rare facsimile of papal letters that comprise Columbus's "Book of Privileges", which Columbus carried with him on his voyages. According to the Library of Congress News release on the event, "An

assemblage of legal documents between King Ferdinand and Queen Isabella of Spain and Christopher Columbus, the “Book of Privileges” laid the foundation for the exploration and conquest of the New World, irrevocably changing the course of the Americas’ history.”

Slavery and the Church

What is of importance in this compilation, known as the "Book of Privileges" is the papal letter or Papal bulls from Pope Alexander VI authorizing Columbus to enslave the native people. The name Papal Bull derives from the small lead seals, or *bullae* in Latin, that hang from the silk threads at the bottom of the letter. The Papal Bull, *dudem siquidem*, dated 26 September 1493 granted King Ferdinand and Queen Isabella of Spain,

all islands and lands whatsoever, found and to be found, discovered and to be discovered, that are or may be or may seem to be in the route of navigation or travel toward the west and south, whether they be in western parts, or in the regions of the south and east and of India (Hessler et. al 2014:41)

Papal Bull *Inter Caetera* to which *dudem siquidem* is an extension, written 3 May 1493 by Pope Alexander VI, clearly grants the king and queen not only all the land far and wide, it gives them the right to colonize its inhabitants by force.

Alexander, bishop, servant of the servants of God, to the illustrious sovereigns, our very dear son in Christ, Ferdinand, king, and our very dear daughter in Christ, Isabella, queen of Castile, Leon, Aragon, Sicily, and Granada, health and apostolic benediction. Among other works well pleasing to the Divine Majesty and cherished of our heart, this assuredly ranks highest, that in our times especially the Catholic faith and the Christian religion be exalted and be everywhere increased and spread, that the health of souls be cared for and that barbarous nations be overthrown and brought to the faith itself (Davenport and Paullin 1917:62)

As summed up perfectly by the experts, the papal documents “not only allowed the Spanish Crown to claim the territory Columbus would discover, but also gave Spain the blessing of the Vatican to colonize any that might be purposefully, or accidentally stumbled upon in the near future” (Hessler et. al, 2014: viii).

Colonial Conditions

Of the nearly 10 million people living in Haiti today, 95% are black and the remaining 5% are classified as mulatto or white. The native people Columbus found on the island were completely exterminated. *The Book of Privileges* recounts, “Of the *Taino* people, who lived on the Bahamas and the Antilles, including the island of Hispaniola, on which Columbus established a colony during the first two years of his Second Voyage, nothing remains today except a brief and incomplete account of their religion, written between 1495 and 1500, along with some archaeological artifacts” (Hessler et. al, 2014:3 italics added). Those who survived the diseases brought by European settlers, were enslaved by papal orders and were forced to work the mines, murdered, raped, and died of artificial famine caused “by the destruction of cultivation to starve the rebellious” (James 1963). To replenish the depleted work force caused by the elimination of the native people, the Spanish government under the direction of Charles V authorized the importation of slaves from Africa in 1517.

Haiti’s terrain today is mostly rough and mountainous. While landing in Port-au-Prince in February 2014, for the UNEP funded Social Impact Study, a glimpse through the plane’s window revealed barren hills with no trees. This confirms much of the literature of the extensive deforestation of the country as environmentalist points out that

much of the remaining forested land is being cleared for agriculture and used as fuel. C.L.R James (1901-1989), an Afro-Trinidadian historian wrote that “In the forests of western San Domingo [Saint-Domingue/Haiti] roamed millions of wild cattle which could be hunted for food and hides” (1963:4). In confrontation that ensued between the Spaniards occupying the east and the French occupying the west, “the Spaniards organized a great hunt and killed all the bulls they could find in order to ruin the cattle business” (James 1963:5).

After the French were granted legal right of Saint-Domingue in 1695 through the Treaty of Ryswick, the French colonist set the slaves to work. The land was fertile, it is written and Saint-Domingue became the most profitable colony the world had ever known (thus the name ‘pearl of the islands’), through the heavy importation of African slaves, with an economy based on forestry, coffee plantations and the most profitable of all sugar colonies in the Americas (James 1963). However, “The system of plantation monoculture and clean-cultivation between rows of coffee, indo, tobacco, and sugarcane exhausted soil nutrients and led to rapid erosion” (McClintock n.d.). The environmental degradation began with the fight for conquest between the French and Spanish when they conducted raids and burn each other’s property. The destruction was aggravated by the 12 year slave revolution and has continued today with the burning of wood for charcoal, a mode of subsistence. These facts support the view of some anthropologists who reject the idea of a pristine image of an environmentally friendly colonial period(Fairhead and Leach 1995) and are evidence that the socioeconomic condition of Haiti is embedded in

colonial practices. In his manifesto, Aimé Césaire (1913-2008), French poet, author and politician from Martinique quoted the French scholar, M. Gourou:

The tropical environments and the indigenous societies have suffered from the introduction of techniques that are ill-adapted to them, from *corvées*, porter service, forced labor, slavery, from the transplanting of workers from one region to another, sudden changes in the biological environment, and special new conditions that are less favorable (2000:37).

These ill-suited methods introduced by the colonial power have created an economic situation that is difficult for the Haitian society to escape. Economic instability creates demand for cheap labor and in addition the economic dislocations, military conflicts, political upheavals and violence that have plagued the country since revolutionary time encourage people to seek better opportunity for their children making them particularly vulnerable to human trafficking. What M. Gourou stated and was aptly reiterated by Césaire is a description of structural vulnerability.

The slave revolution that ended colonial slavery in Haiti lasted 12 years from 1791 to 1804. This great feat, although remarkable, left Haiti vulnerable, as the death of the evolutionary leader, Toussaint L'Ouverture, who steered Haiti towards independence, left the newly formed nation in the hands of power hungry leaders who would coax the nation into a lifetime of political struggles. In addition to the political turmoil that ensued immediately following the revolution, the economic situation was aggregated at the onset with many of the plantations set ablaze during the struggle. Experts again confirm, "The environmental degradation, caused by deforestation, which has reached almost catastrophic proportion in Haiti today, began in this period" (Andersons et Al. 1990).

Since the emancipation and independence of 1804, affluent Haitians have continued a form of slavery by using children of the very poor as domestic servants. Submissions, instrument of production, subordinate functionaries, fear instilled, inferiority complex, dependency complex are all characteristics of the colonized (Césaire 2000), which have transferred into the practice of slavery today in Haiti. There is strong consensus that modern day slavery is rooted in colonial past (Césaire 2000, Andersons et Al. 1990; Rodriguez 2011).

In addition to its colonial past, Haiti has struggled with constant occupations, mainly by its wealthier neighbor, the United States. Neocolonialism has kept Haiti poor through the control of the economic and political apparatus by outsiders and a huge foreign debt. Haiti had to agree to pay repartition to France for recognition as a sovereign state (Martinez 1995:55; McClintock nd). This indemnity, which required 70 years to pay, forced the nation to trade timber and dyewood in exchange for foreign currency. In addition, the United States was pressured to embargo Haiti, which it did because it saw Haiti as a menace to the slave institution still present in the southern states (Abbott 2011; Trouillot 1990). The poorest country in the Western Hemisphere, with high unemployment rate (40.6%), high rate of illiteracy (more than 50%), and little access to portable water and electricity, Haiti has experienced political and socioeconomic instability since its inception (The World Factbook n.d.). Interestingly, the CIA World Factbook, a reference resource produced by the Central Intelligence Agency view the low labor cost and tariff-free access to the US for many of its exports as advantages that Haiti enjoys. As will be seen in the section on neocolonialism of this Chapter, the liberalized

market economy encouraged by the United States only benefits the United States which enjoys free exports to Haiti. The U.S is practically Haiti's sole export partner with 81.7% of exports going to the U.S. But with only \$876.8 million in exports and \$2.697 billion in imports, it is not entirely an even trade relationship or the most advantageous to Haiti (see The World Factbook n.d.).

Race Hierarchies: Big Whites, Little Whites, Half-castes, and Blacks

The *Economist* attributes Haiti's misfortune to the fact that in a "winner-takes-all society like Haiti's, historical, racial and ideological grievances continue to poison politics" (2015:35). The colonial policy of Social Stratification created an ethnic divide amongst the Haitian people. The French created a racial divide in Haiti by categorizing people into more than 128 divisions (James 1963: 38) and "these distinctions still exercise their influence in the west indies today" (James 1963: 43). During the French Colony, the distinction between a white man and a black man was fundamental but even amongst the white race there was a class distinction between "big white" and "small white." Cadet (1998), the international voice for *restavèk* compared his bourgeois white father to the *grand blancs*—big whites—in his biography. He wrote that like the *grand blancs* of the past, his father was fulfilling his kinship obligations by sending him to stay with the host family thinking that they would give him a better life. Cadet wrote that after the death of his black mother, his white father could not take him home to his family because of his brown skin. Cadet's host mother during one of the many beatings sessions filled with insults, told him, "your mother was a dog and a whore, that's why your father doesn't want you. You're an embarrassment to him" (1998: 14). Cadet's

father, like the few mulattoes and white left in Haiti, was wealthy. A factory owner, he exported coffee and cacao to the United States.

The *grand blancs*—big whites of colonial Haiti composed of the wealthy agents of the maritime bourgeoisie and the planters. The men of lesser qualities - the lawyers, the notaries, the clerks, the artisans, the grocers - were known as the *petits blancs*—small whites. However, “There was another class of free men in San Domingo, the free Mulattoes and free blacks” (James 1963: 36). Mulatto, “a sociologically distinct group from blacks”, is the term for a person with European and African ancestry (Mantz 2007:14). Mulattoes are noticeably lighter than the average black person. However, Trouillot’s deliberation on the “color question” in his book shows the ambiguity of race in Haiti. As he shows, color in Haiti is more than just skin color as “skin texture and depth of skin tone, hair color and appearance, and facial features also figure in any categorizations” (Trouillot 1990: 112). This means that a person with dark skin but long European hair might identify as a mulatto whereas a person with lighter skin with more afro-features might not be considered a mulatto. Children born of black slaves and white masters, mulattos were free until the age of 24 (James 1963:37). James refrained from stating precisely what happened to them after the age of 24 but it can be inferred from his narrative that many remained free as they became landowners. Their freedom provided the mulattos a competitive advantage over the black populace as they would have been free to pursue an education and some even were able to send their children to France to obtain a superior education. The mulattoes who still hold majority of the nation’s wealth today started amassing property because the amount of property they could hold was not

limited and thus started to rival the colonists, big whites and small whites alike in economic strength. James (1963) wrote that eventually, “The finest properties were in the possession of the half-castes” (39). This remains the reality today in Haiti as demonstrated in Cadet’s biography (Cadet 1998).

In addition, the whites started using mulattoes to track down fugitive slaves. This would not have been a problem for them because “so despised was the black skin that even a mulatto slave felt himself superior to the free black man” (James 1963:43). During the revolution, mulattoes demanded equal rights to the white and in return they would unite with them against the slaves. The Rights of Man was granted to the mulattoes, and so they united with the whites against the slaves. Soon after though, the general leading the mulattoes, Pétion forged an alliance with Dessalines, the leader of the slave revolt using their strength against the common enemy because despite all the freedom granted them, the mulattoes were not loved nor loved the French ruling over them.

Much to the dismay of the black slaves, “the whites sullenly accepting the victory of the revolution, the Mulattoes grabbing greedily at all Government posts” (James 1963:126). Thus, upon the dismantlement of colonial rule in Haiti, the mulattoes and the few privileged blacks were already in a position to become the new masters and thus slavery continues till this day. After the revolution, the Haitian elite, mostly mulattos tried to revive production by forcing former slaves to work the plantations and infrastructure projects (*corvée*) under conditions similar to colonial time. The practice of child labor was also borrowed from the French colonial era under which legal decree stated that children of female slaves could be enslaved as long as their owner provided

them with religious instructions and sufficient food and clothing. Like the *restavèk*, child slaves performed menial household tasks or light work in the fields (Rodriguez 2011).

Race is intrinsically connected to economics and status in Haiti. This analysis of race is relevant to the study of *restavèks* because it will not only inform the reader of the origin of the modern system, it can inform about *restavèk* placements. Since mulattoes are wealthier, they might be favored by rural parents seeking to secure a good position for their children. It is important to note that this tension in race relation between mulattoes and blacks are not fabricated or exaggerated. It is well documented in Haitian films in which mulatto parents forbid their children from marrying blacks (Jiha 2005). The hierarchal structure of Haiti is summed up perfectly in this article about *restavèk*, “the exclusivity of power has always been an issue in Haiti, as well as pre-Haiti, i.e., Saint-Domingue, where the whites were the owners, the blacks the owned, and the mulattoes a combination of the two” (Thompson 2008).

Haitian-born anthropologist Michel-Rolph Trouillot (1990) does not attribute Haiti’s social inequities and uneven power relations to race. He wrote, “Both Witnesses and participants found it easy to describe the so-called revolution of 1946 [in which mulatto leader Lescot (1941-46 was ousted)] as a victory of “black power” over *mulatre* domination... Yet, the label is misleading. Though, color was an idiom of politics, the members of rival groups could not be immediately identified solely on the basis of their phenotype” (Trouillot 1990:109). However, he later stated that “By 1945, for the first time in Haitian history, the distribution of power had become explicitly colorist (Trouillot 1990: 133). It would appear from Trouillot’s interpretation of race relation in Haiti that

race ideologies is only perceived and is not a reality. Cadet's experience with his *grand Blanc* father tells a slightly different story. The former *restavèk*, Cadet (1998) wrote "I know of three groups of children, the elite, the very poor, and the *restavec*, or slave children" (3). Haitian society is divided into two strata: a few affluent urban elites and the rural peasants, many of whom have populated the cities. The elites are composed of the country's 5% mulatto and white and some affluent blacks. The elites who are the group who take in *restavèks* can be distinguished in part by not only their lighter skin tone, but their language choice of French over the native tongue, which is an indication of socioeconomic status (Cadet 1998). Even if the "color question", as Trouillot (1990) coins it, does not explain the division of labor and other social relations in Haiti, racial prejudices is still a reality. However, as Trouillot eloquently elaborated and was alluded to previously in this thesis, "the dominant classes are not composed exclusively of light-skinned individuals; nor do all such individuals belong to those classes" (1990:109). Power relation does not solely rest on race, it hinges on class and class is measured by land ownership because land is the basis of subsistence in the Caribbean (Wilson 1973). Thus, one's social position is relative to how much land possessed.

Uphill vs. Downhill

The elites historically hold titles to the largest estates (Beckett 2004; James 1963; Wilson 1973). This is illustrated in one of the interviews conducting during fieldwork in Haiti. During an afternoon session with three of the participants, sitting on the front porch of a home in the village of Saint, we had a conversation about access to wood which is used to make charcoal for cooking. One of the participants responded with regards to

purchasing charcoal, “I don’t pay. If you’re up in the hill, you don’t use—you don’t really buy it. You produce it and also you can find the wood if you’re up in the hill, but if you’re down below, you have to buy it.” Another participant interjected that access to wood is not so much a question of being uphill or downhill but rather if you own the land, “Well, I am very close to this guy. I am a little bit higher than him but we’re close but you can mostly find [wood] when you are a proprietor. If you don’t have land to find wood, to burn the charcoal, you have to buy it.”

When asked if he was a proprietor too. He said, “No, this means, me, I have to buy [charcoal].” The man who own his own property not only has access to the wood in his land, which he can use for fire to cook, he can also burn this wood into charcoal for both personal and commercial use. He can in turn use the revenue towards other expenses such as growing his farm and herds. In Haiti, land ownership is the basis of subsistence. It is an indication of socioeconomic status.

Upon arriving in Port-au-Prince for the 2014 Social Impact Study, the drive from the national airport to our lodging in *Pétionville* was telling of the socioeconomic divide in Haiti. *Pétionville*, a commune named after the mulatto leader that ruled Haiti in the south after the revolution is perched upon a hill which separates the affluent suburb from the poorer city center. *Pétionville* is inhabited by affluent Haitian elites and many of the foreign embassies are housed in the huge mansions sprawled across the hill. As you go up the hill, the shanty towns and the small concrete houses built right on top of one another becomes scarcer and the hills that were barren replaced with trees. Elizabeth Abbot (2011), the former sister-in law of a ruthless leader responsible for the Bloody Sunday

Massacre that occurred in 1986 immediately following the ousting of the Duvalier *fi*ls, wrote about the excessiveness of Haitians elite in her book *Haiti: A Shattered Nation*. She wrote referring to the aftermath of the 2010 earthquake, “How could it be wealthy Haitians shopped in intact *Pétionville* shops that displayed Gucci handbags while, meters away, tens of thousands of their compatriots sweltered under flimsy tents and queued daily for biscuits and bottled water?” (Abbot 2011:8). This uphill-downhill dichotomy is representative of the distance between the rich and the poor in Haiti.

In Haiti, the elites maintain legal dominance and direct access to the government (Beckett 2004) and according to C.L.R James this has always been the set-up since the Haitian revolution:

This was no question of colour [*sic*], but crudely a question of class, for those blacks who were formerly free stuck to the Mulattoes. Persons of some substance and standing under the old regime, they looked upon the ex-slaves as essentially persons to be governed (1963:166).

Trouillot (1990) agreed. He claimed that the leaders that emerged out of the revolution could not agree on anything but they agreed that the continuation of the plantation system was the most viable economic option. However, he states “In, retrospect, it is easy to see that the major weakness of Louverture’s party, and the fundamental contradiction of his regime, was the leadership’s failure to face the fact that the goal of unconditional freedom was incompatible with the maintenance of the plantation system” (Trouillot 1990:43). After the revolution, with the assassination of both Toussaint and Dessalines, the country was divided into two. Henri Christophe, a former slave named himself king of the North because he was not satisfied with the amount of power the presidency afforded him. Pétion the mulatto, ruled over his own in

the south. The revolutionary leaders continued the plantation system at the expense of the peasants. This repressive labor system called “militarized agriculture”, essentially replaced the whipped armed white planters with black militants (Trouillot 1990:43).

In those times, the state depended on the resources of the peasantry yet the peasants were kept on the peripheral of state politics. They were outside—*endeyo* of the political sphere they worked tirelessly to support. This dependency on the marginalized as a source of labor has continued today. The peasant economy continued to be the primary source of income for the country until it was completely decimated by neocolonialist policies introduced by foreign powers in the 20th Century. However, as will be seen later in this chapter, this shift did not entirely benefit the poor. When foreign goods were able to satisfy the need of the urban populace, the services of the peasants were disposed of. Without the demand for local grown agricultural goods, the peasant economy was destroyed entirely. The poor suffered more than they did when they were being exploited for labor. The children of the poor replaced their kin with the burden as they were ushered into the cities to serve the bourgeoisie. The parents, reluctantly relinquishing their parental rights because they thought their children might be better off as someone’s servant than to starve in the countryside.

Socioeconomic Status Indicators

The dialogue between my participants above was extracted from an interview of a group of three participants. The first participant, an older man of 68 was hardly audible throughout the interview so I did not obtain much information from him and that is why this socioeconomic comparison focuses on just the last two participants. However

towards the end of the interview, when I broached the subject of children, participant one stated that he had so many children that he lost count, so I became very interested at that point. This part of the interview demonstrates the challenge that I alluded to in the introduction about the difficulty in obtaining information about the participants' children to determine how vulnerable they are to child trafficking. However, the number of children participants have can address the debate of high fertility in peasants' economy as a source of labor. I had to probe a little to get some information out of Participant one since he was unresponsive and inaudible when he did respond. The dialogue that follows is of me speaking since the participant was inaudible on the tape:

I1: You have how many children?

P1: Inaudible

I1: You don't know how many children you have? (Nervous chuckle)

P1: Inaudible

I1: (In English to I2) He said he has so many, he can't count

I1: Where are they, are they all with you? In Port-au-Prince? Cayes?

P1: Inaudible

I1: (In English to I2) He has four in Cayes, 10 in Port-Au-Prince

I1: How about here, are any with you?

P1: Inaudible

I1: (In English to I2) He said they're all spread out. Throughout the country

I1: Do you keep in contact with them?

P1: Inaudible

I1: All of them?

P1: Inaudible

I1: (In English to I2) He said yes

Participant two however, has only four children. The oldest, a 26 year old female is in Port-au-Prince living on her own working in a factory. The other three lives with him; two in school and a seven-month baby. In addition to being a proprietor, he is a carpenter. He makes furniture and coffins for sale. It appears that he has more purchasing power than his companion. Not only does he own a TV, he said he was able to buy one

gallon of kerosene for his lamp. “I buy the gallon for 200, 245, 225 gourdes.” On what he did in the evening, he said “I listen to my little radio, I mean, I would like to plug in my TV but there is not enough energy to power the TV, so if ever I plug the TV, I have to come back here the next day to re-charge the battery.” However, participant two does not consider himself well off. He said: “You live well when there is time for work and time for rest and that’s how I think you can live well and if you have the means. You don’t live well when you’re running to and fro, when you work all day, you’re not living well.” Although a few participants in our study reduced the idea of doing well to having some material possessions—car, motorcycle, nice house, money, job — many measure a good life with access to the basic necessities of life—food, water, good health, and education for their children. One participant from another interview said money is not a good indicator of the good life because it can make you restless. Several participants admitted if one is not sick one is doing well—“health is worth more than wealth.” This is telling of how different people on the social spectrum prioritize certain values. For a poor peasant, three meals a day and not being bedridden is of the utmost value, while for the urban elite, a Gucci bag from one of the luxury boutique shops in *Pétionville* might symbolize the good life.

On the subject of leisure, participant two responded: “There’s really no time for leisure. Relaxation is when you’re sick. If you’re not sick, you don’t relax. As I am talking to you, right now, I just came from the city center but I have to go back. It’s already 2pm so I have to go to the city center.” Leisure has been viewed as a symbol of social class—“Leisure itself works as a marker of class status both in its display of the

fact that one has more free time to “spend” in leisurely pursuits and in relation to consumption”(Deeb and Harb 2013). Wealth does not only afford one more time, it avails means of entertainment and relaxation. It appears rural Haitians do not see leisure purely in terms of consumption, i.e. owning televisions and radios but they value the simple pleasure of spending time with friends and family, joking around, and sex.

Participant three, who confirmed that he was not a proprietor, said he possessed only a little radio and on the subject of acquiring kerosene to light his house, he responded: “So I still buy a little bottle.” “Yes, I pay about 40 gourdes on a 6 oz. bottle of gasoline.” He described his profession as cultivating the land and selling livestock such as pigs. His children are also in school but he has nine children. Some of them live at home and the rest already have their own profession, the oldest being 30 and the youngest eleven. Two of them live in Port-Au-Prince, the capital, he said, “the older one has his own place, he’s a truck driver, his younger brother is staying with him and [the younger brother] is in school.” He gets to see them during the summer vacation. Time constraint did not allow us to learn the circumstance of the two boys to make any assumptions of their vulnerability to child labor. We know the younger boy is being fostered by his older working brother and is supporting him through school. How did the older brother secure the truck driving position in a country where work is so scarce? How did he move up the social ladder? When he first arrived to Port-au-Prince, who did he stay with; friends, relatives, strangers, a boarding house? Participant three seems to share participants two observation that “Nobody is doing well. You live well when you have access to a doctor, education for your children, food and rest.”

Table 1: Number of children

Numbers of Children	1	2	3	4	5-9	≥ 14
Numbers of participants with that number of children	14	9	9	13	22	4

In summary, Participant one is older (68) and had more children than the other participant. Participant three is the next oldest (58) with nine children. Participant two (50), the youngest, a landowner, and a busy business man with more material possession has the least number of children. It could be a generational change or there is a correlation with wealth and reproduction. This could also be indicative of what the experts argue to be a demand for labor in peasants' economy. It might be that the previous economic model is a thing of the past when rural parents would have more children for extra hands on the farm. The younger generation is having fewer children as agricultural production lessens. For those on whom data is available, all participants who said they had only 1 child is between 20 and 38 for the exceptions of one who is 55 years old. All the participants who had more than 14 children are above 40 and the participant with the most children, 18, is a 79 years old men. It is possible that the younger parents are still building their family and are planning to have more than just one child. The next highest number of children after one is four children. This might be a better gauge for the average number of children since the parents of that age group is in their late 40's and 50's, when people stop having children. The average number of children per household was not calculated because the sample size is missing data on many of the participants.

Furthermore, even though the last two Participants do not think that they have a good life, they are able to afford schooling for their children. Although the material possession of these three men might seem trivial in the western eyes, they are far better off than the average peasants. They are part of 100 lucky residents of that village that could afford to pay the six dollars a month for the *Ti Soley* solar kit that Sirona care offers. Yet, there are still far removed from the few elites of Haiti who enjoy state run electricity, cars, access to upper level education for their children in Haiti or abroad. As will be seen in Chapter 4, there is continued debate on whether human rights are inherently universal. My interlocutors seem to value the same rights available to most Americans and even a few Haitians—access to education, health, and leisure.

On Land Ownership

With only a few owning land, the poor are often unable to survive and provide for their children—“poor men’s riches” to most islanders (Wilson 1973:74). As few as 3 percent of landowners own large farms (Abbot 2011:341). In land holding societies, having a large number of children to help on the farm maximizes family wealth. In this regard, children are being used as insurance. It is important to note that some anthropologist have refuted the view that “poor peasants’ desire for children would be inspired by their value as workers was premature” (Nieuwenhuys 1996: 241). Further, poor families will try whatever means necessary to improve the positions of their children, which explains why they send them to live with others to achieve that end. For a family with 13 children as was the case for one of my interlocutors, sending some of them away also relieve the parents of the responsibility to provide for them financially.

This begs the question of whether household decision-making is the driving force behind *restavèk*.

The social structures governing the *restavèk* system can be attributed to structural violence. The suffering of Haiti's poor is akin to what Friedrich Engels wrote that the English working men described as "social murder" (Engels 1845). The suffering of the rural peasants in Haiti is determined by their positions at the bottom of both the ethnic and class hierarchy. This structural violence arises out of institutionalized racism and social inequalities rooted in Haiti's colonial pasts. Likewise, Pierre Bourdieu's symbolic violence can be used to explain why some Haitians have come to regard the practice of *restavèk* as normal. Symbolic violence is a result of unequal power relations and the legitimation of social hierarchy. This power relation is understood through Holmes' interpretation of Althusser's interpellation, which is, "a human subject is positioned by social and economic structures in a specific category within power hierarchies and simultaneously recognizes oneself and others to be members of these specific categories" (2013: 28). In Bourdieu's theory of symbolic violence and the relationship of the "dominating" and the dominated", "each group understand not only itself but also the other to belong naturally in their positions in the social hierarchy" (Holmes 2013:43). This hierarchal structure however is only perceived. Perhaps, similarly to how race identity is perceived in Haiti (see Trouillot 1990).

The economies of most of the Caribbean countries are tied to agricultural production. Many countries rely mainly on one crop for export earnings—sugar cane in the Dominican Republic, bananas in Dominica, and coffee in Haiti (Martinez 1995;

Mantz 2007). Working the land is the mode of subsistence for peasants in the Caribbean region (Martinez 1995, Wilson 1973). Based on the analysis of the survey conducted in the rural communities of Haiti during my visit in 2014, the data shows that the main source of income for the village dwellers derives from small businesses. Haiti's economy relies heavily on the informal sector, small scale trades that are characteristics of Caribbean markets (Mantz 2007). Other means of livelihood include agriculture, carpentry, masonry, animal husbandry, fishing (exclusive to the island) and some trading activities. Unlike the rest of the Caribbean where majority of the population is concentrated in the rural areas, more than 20% of Haiti's population is in the capital, Port-au-Prince with 52% of the total population living in urban areas (Martínez 1995; The World Factbook n.d.). With few industrial manufactures in the cities a very high percent of the population remain unemployed. Through my own observation, men in the country tend to have a ready answer about their occupation, mostly working the land and husbandry as already identified but men in the city tend to say, "there is no work" so they just linger around the street doing absolutely nothing, like a *vagabond*—a bum.

This type of economic hardship has played a major role in child labor in Haiti. Parents commit their children to child labor because they are not able to provide for them while the better off families exploit these children for free labor. With more than 46% unemployment, many Haitians struggle to survive so it is doubtful that they can provide for another's child. However, poorer families are so desperate they rather give away their children to a lifetime of servitude in the pursuit of a "better life" for them. Another explanation offered for child labor is the idea that poor families hold children responsible

for contributing to their own upkeep and rural families historically had more children so they could have more hands on the farm (Godziak 2008). Most of my participants have four children with many having seven, nine, fourteen, and sixteen and even in one case eighteen children (See Table 1). The theory of high fertility as a source of labor in peasants economy is refuted by Godziak (2008) and other anthropologist who argue that this assumption is premature (Nieuwenhuys 1996). The absence of labor laws that provides for the exclusion of children from the production of goods might make it seem acceptable to a society that does not know different.

Neocolonialism

In surveying the domestic servitude tradition that has emerged from Haiti's distinctive political milieu during the past century, this retrospective has concentrated on three main narratives: colonialism; neocolonialism; and institutionalized inequalities. Fast forward history from the slave revolution and the many attempts by the French and the British to restore the colony, skipping the many U.S invasions/occupations, Haiti finds itself under the iron fist of two brutal dictators, François and Jean-Claude Duvalier. The Duvaliers, *père* and *fils*—father and son—also known as Papa Doc and Baby Doc ruled for three decades (1957-1986). Trouillot (1990) confirms that agriculture was the bulk of the country's economy before the *Duvaliers*. The peasant economy made up majority of the government revenues collected from levying taxes on agricultural goods. The state depended on that revenue, thus, "Peasants were the economic backbone of the nation" (Trouillot1990:16).

After the repeal of *Duvalierism*, contrary to what the public expected, the economy deteriorated even more. Moved by U.S pressure under President Ronald Reagan's administration, the new government removed a 50 percent import tariffs on rice and other alimentary that was imposed under the Duvaliers. Abbott (2011) wrote:

It helped that Finance Minister Delatour, an advocate of neoliberal economics including open markets, supported these measures and cooperated with American policy makers to lay the groundwork for a drastic revamping of the economy. Henceforth, Haiti would become an assembler of cheap goods for American, Canadian and other foreign markets, and a hungry importer of those nations' foodstuffs (332).

The latter destroyed Haiti's peasant economy. It eliminated rice farming as imported rice was cheaper than local grown. The imported rice did not only affect rice farming, it affected wheat production as most people substituted bread with rice for their source of carbohydrate. Haitian Creole pig, well adapted to Haiti's climate was replaced with American pigs which required more expensive maintenance. The Haitian pigs were killed under the pretext that they were sick and the foreign pigs starved to death leaving the people hungrier. The people viewed these neocolonialism policies as a form of enslavement. An agrarian reform group called *Tet Ansamn*—Solidarity, accused the U.S of giving out "food donations as a tool to enslave the people by creating dependence on handouts" (Abbot 2011:340). Former President Bill Clinton, who continued Reagan's policy of low tariffs on U.S imports, apologized to the Haitian people in 2010:

Since 1981, the United States has followed a policy, until the last year or so when we started rethinking it, that we rich countries that produce a lot of food should sell it to the poor countries and relieve them of the burden of producing their own food, so, thank goodness, they can leap directly into the industrial era. It has not worked....It was a mistake that I was a party to....I have to live everyday with the consequences of the lost capacity to

produce a rice crop in Haiti to feed those people. (Haitian Farmers Undermined by Food Aid n.d.)

Although President Clinton, the U.N. Special Envoy to Haiti since the 2010 earthquake, accepted full blames and implicated no one, he was not the only culprit. Albott (2011) claims “The power of the IMF and the World Bank, its twin sister, also extended into the morass of Haiti’s financial and administrative core” (360). In the early 1990’s, Jean-Bertrand Aristide, the newly placed (by the Clinton Administration) priest turned president, in desperation to keep his promise to the poor, complied with international demands for fiscal reforms. The International Monetary Fund (IMF) and World Bank pushed him to accept austerity measures and encouraged free trade through low tariffs and low wages. The destruction of the agricultural industry as a result of these neocolonial free market ideologies led to the rural exodus that saw many people fleeing the countryside to urban areas for a better life or alternatively sending their children in hope of a better future. Abbot claims that Port-au-Prince and its surrounding is “home to more than half of Haiti’s population” (2011). This estimation although perhaps a bit screwed is indicative of the rural exodus that occurred as a result of neocolonialism measures.

Similarly, to the neoliberal policies that wiped out the rice production in Haiti, the U.S.-propagated North Atlantic Free Trade Agreement (NAFTA) destroyed the corn production in Southern Mexico, the home of Holmes’ (2011) indigenous Triqui people. They were forced by necessity to migrant through perilous journeys to the U.S to work in hazardous conditions for little pay, virtually no rights and lesser respect picking fruits.

The situation of the Triqui is not treated as human trafficking because they supposedly “voluntarily” to travel to the U.S to accept these subparts conditions (Holmes 2011). The restavèk situation differs only insofar, it is not cross borders and the migrant workers are consenting adults. Otherwise, they share the same economic motivators.

Why the Poor Remain Poor

In Haiti, the structures of labor are determined by the asymmetries in society, whether race, class, gender or age. The social structures governing the restavèk system can be attributed to structural violence. The suffering of Haiti’s poor is akin to what Friedrich Engels wrote that the English working men described as “social murder”. Engels (1845) wrote when people are deprived of the basic necessities to live, and are forced through institutionalized inequalities to remain in those conditions until their death, it is murder just like “death by violence as that by the sword or bullet” (168). The suffering of the rural peasants in Haiti is determined by their positions at the bottom of both the ethnic and class hierarchy. This structural violence arises out of institutionalized racism and social inequalities rooted in Haiti’s colonial pasts. The elites not only control the means of subsistence and production, they have direct access to the police and the government (Becket 2004). The control of the means of subsistence and production by Haiti’s few elite results in the social murder of the poor proletariat. Engels (1845) argued that by virtue of controlling the social and political apparatus, the elite has a responsibility to those it grants no share of that control. However, both the elite and the poor seem oblivious to this—the elite perhaps justifies it in thinking that the poor has brought their own suffering upon themselves and the poor accept their faiths as gods will

– *si dye vle*. If the ruling elite “should admit that poverty, insecurity, overwork, forced work, are the chief ruinous influences, they would have to draw the conclusion, then let us give the poor property, guarantee their subsistence, make laws against overwork, and this the bourgeoisie dare not formulate” (Engels 1845:198). It would suffice for the bourgeoisie and the ruling class in Haiti to acknowledge that forced work, slavery and thereby the dehumanization of a whole category of people is detrimental to the fiber of society.

Likewise, Pierre Bourdieu’s symbolic violence can be used to explain why some Haitians have come to regard the practice of *restavèk* as normal. In drawing upon Bourdieu’s concepts of symbolic violence and habitus, we can see how unequal power relations and the legitimating of social hierarchy lead to the suffering of the poor. This dynamic can be better understood through Anthropologist Seth Holmes’ interpretation of Althusser’s interpellation, which is that “a human subject is positioned by social and economic structures in a specific category within power hierarchies and simultaneously recognizes oneself and others to be members of these specific categories” (2013: 28). In Bourdieu’s theory of symbolic violence and the relationship of the “dominating” and the dominated”, “each group understand not only itself but also the other to belong naturally in their positions in the social hierarchy” (Holmes 2013:43). Symbolic violence in essence is the naturalization of power relations and the internalization of suffering. This predisposition to the acceptance of social inequalities is what Bourdieu would describe as habitus, a social conditioning linked to the historical practices.

In short, Habitus is behaviors accumulated historically overtime. The Global Slavery Index claims, “It is likely that every Haitian among the lower and middle classes grows up being exposed to restavèk practice in some way. If not growing up in restavèk themselves, a child will be exposed to the practice within her own home or neighbourhood [*sic*], and may be conditioned to perceive the practice as normal” (2014:73). Alas, this is true. Although, my own family harbored many restavèks and even as a child, I felt their suffering, it never occurred to me that it was wrong. I did not even know that restavèk was a phenomenon, a problem needing a solution until an exchange student from Croatia during my undergrad told me about an organization in her own country dedicated to the abolition of modern slavery in the form of restavèk in Haiti

CHAPTER THREE: THE ILLUSION OF A BETTER LIFE

“Bay kou bliye, pote mak sonje”—“The giver of the blow forgets, the bearer of
the scar remembers”

Haitian Proverb (Translated by Freeman 2002: 17)

Restavèk as it is known today has existed since the inception of the republic of Haiti and scholars argue that it descends from the practice of child labor under French rule during the colonial era (Rodriguez). However, restavèk in its present form merely appeared in western literature in the early 1990’s during the popularization of human rights after the Cold War, which generated several international conventions to address human rights violations discussed in Chapter 4. Until the Minnesota Lawyers International Human Rights Committee (MLIHRC) published a report on restavèk in 1990, there had been no discussion of restavèk outside of Haiti according to the report. The *Colloque Sur L’Enfance En Domesticté*, also known as the “1984 Conference Report” is believed to be the only written study of restavèk before the MLIHRC report. The 1984 conference gathered a group of Haitian think-tanks to address the issue of restavèk. Supported by UNICEF, the 1984 conference not only put restavèk in the international consciousness, it was the catalyst of several legislations that regulate labor

practices and protect the rights of the child today, chiefly the 1984 “Labour [sic] Law” (Code du Travail) which is discussed at length in Chapter 4 (Anderson et al. 1990).

The plight of children in domestic service in Haiti was brought to light in the 1980 film *Anita*, by Haitian director Rassoul Labuchin. The film which was set in the backdrop of Jean-Claude Duvalier (Baby Doc)’s ruthless regime is a very political film. It explores different facets of society to include the poverty stricken state of Haiti, social inequalities and voodoo. The protagonist of the film is not Anita, who represents the typical servant child or *restavèk* in Haiti. It is the daughter of Anita’s host mother, Chouquette. Chouquette is a very sensitive child who sees and feels everything and is troubled by her mother’s treatment of her unpaid domestic servant, a girl her own age. The film began with Anita returning home from the market with an empty bottle of milk pleading her host mother not to beat her because the milk was drunk by another. Chouquette on her way to school, in her well pressed school uniform begged her mother not to beat Anita under the pretext that she doesn't want her mother upsetting herself. At school Chouquette is asked to recite a poem. In French, she recited:

I am not a rich kid. If I was a rich kid, I would do without sweets, cakes and cream to contribute as much as I can to help poor children. But, since my mother does not have a lot of money and my father is killing himself in the land of the whites, I have to work in class, do my best so that tomorrow, I am able to help poor children and my whole country. (Anita 1980)

When the teacher asked who taught her this poem, she responded, “*personne, c’est hier soir que je l’ai écrit*—no one, I only wrote it last night. The teacher, obviously corrected “*que je l’ai écritE*” and scolded her for not learning properly her French

grammar while fondling a *matinet* (see Fig. 3) — a wooden stick with three leather straps— a tool used in Haiti to discipline children in school and at home.



Figure 3: Matinet



Figure 4: Slave Whip

The instrument of punishment the teacher fondles looks remarkably similar to the whip (see Fig.4) used to beat slaves in the past. In response to Choupette’s poem and in defiance to the teacher’s scold, she received standing ovation from her classmates shouting “bravo Choupette!”, “bravo Choupette!”, “bravo Choupette!” This powerful

scene demonstrates the agency of children and how they negotiate issues of class divide and how they feel like they are active members of society who should contribute to its welfare. The poem recital reveals that Choupette merely wanted to protect Anita when she asked her mother not to punish her for the sake of the mother's health.

Even though the *restavèk* practice thrives on class inequalities, Anita's poem reveals that the family is not that wealthy and her father is a diaspora abroad. Receiving families are not always wealthy. They are sometimes hardly better off than the sending family. They can typically afford to send their children to school and give them a decent life but they would not have been able to afford paid domestic service thus the reason *restavèk* is a common practice. These socioeconomic realities were explained in Chapter 2.

Even so, those who are better off treat the not so fortunate with contempt. For example, the film switches back and forth to a shot of a man wheeling a cart full of supplies on his back with the aid of two others helping him push until they are attacked by a mob of privileged school children. The children ridicule the men and throw all their cargo on the ground. Choupette watches this scene with disdain. She sees misery everywhere and it affects her emotionally. She has nightmares in the night with disturbing visions and shouts *lougrou*—Loup Garou in French, meaning werewolf, a magical creature that flies in the night. Choupette's nightmares are indicative of the psychological effect the practice of *restavèk* can have not only on the children upon whom the abuse is inflicted but on the children who witness these abuses. Choupette's mother misinterprets her violent nightmares as voodoo related and takes her to a voodoo

ritual. She fails to grasp that her behavior towards Anita and the misery she witnesses every day has bearing on her mental health. In his article on Eastern Caribbean Witchcraft, Jeffrey Mantz (2007) asserted that “accusations of witchcraft were a culturally logical response to socioeconomic anxieties” (18). In Haiti, witchcraft is used to explain everything from illnesses to socioeconomic status.

Theoretical Engagement of the Issues Introduced in *Anita*

Anita (1980) is a very powerful Haitian film which not only brought to light the restavèk phenomenon, but also socioeconomic conditions, class relations and psychological trauma associated with such conditions. These issues form the theoretical framework of this thesis. The men breaking their backs pushing the cart in the film embody the violence continuum the same way as Holmes’ (2013) Triqui migrant workers. Structural violence, symbolic violence, physical and political violence are part of the violence continuum. Due to the physical pain these men embody, they will likely not achieve old age and that is what Engels described as social murder. These men are at the bottom of Holmes’ (2013) hierarchal chart of labor. They receive the least amount of respect. In terms of ethnicity, they are the same as the majority of the Haitian populace but they are from the lowest class, often from the countryside. Unskilled, they perform the hardest and dirtiest work. Like the Triqui migrant workers, they are lower to the ground. They perform their work bending, kneeling, pushing, shoving, and carrying heavy loads atop their heads. The palm of their hands are hard and the back of their necks dark from sun exposure. These country folks are called *moun endeyo* meaning outsiders. They are stereotyped as being uneducated, simple and are seen as means of production,

exist for the single purpose of serving the better-off. This perceived category of the *other* permits the normalization of social inequalities. By separating themselves from the *moun endeyo*, the affluent can continue to exploit the poor with the perceived notion that they belong in certain occupational positions.

Borrowing Cortney Hughes Rinker's method of embodiment in the discourse of reproductive healthcare in Morocco, in which women's bodies are regulated by the state through neoliberal practices, (Rinker 2013) we can see how the body of poor Haitians as means of production is used to negotiate power. Using Foucault's concept of control through disciplines, she wrote that within the state's "agenda for development, 'the disciplines of the body and the regulation of the population' have become the state's primary subjects" (Cortney 2013: 103). The control of the body by means of forced labor since colonial time imposed a relation of docility and subjugation on the poor. Power is subjugated over the body through disciplines, which regulates the operations of the body. While the bodies of Rinker's participants are used to advance ideals of modernity, the bodies of Haitian peasants are exploited by the state and urban elites to maintain the status quo, to wit: the peasants produce the means of subsistence and bequeath it rural class.

Though very little information is available on the World Wide Web about *Anita* other than the fact that it is the first feature film in Creole, it is possible that the story is based on the popular Haitian folklore on the subject of child domesticity, *Ti Sentaniz*.

Haitian Folklore Depicting the Suffering of Restavèks

Ti Sentaniz is sometimes a euphemism for restavèk—“we say sometimes “a Sentaniz” for a child in service” (ILO). *Ti Sentaniz* is a story of a windowed man left to care for seven children in a one room straw house with nothing but the small revenue from his chair and basket weaving business. In his desperation, the widow reluctantly gave one of his daughters to a woman he often sells chairs and baskets to since the woman was always asking them to send one of their children “to stay with” her. The woman insisted that the child be a girl and not too old. Children are easier to break. *Ti Sentaniz* was nine when she was given over to the family. It is important to recognize that the 173, 000¹ children in restavèk situations are between the age of five and seventeen (Sommerfeldt 2002). Trusting the lady would be patient with his child since she is a mother too, the widower left *Ti Sentaniz* in her care.

Majority of the story is essentially a long dialogue in which the host mother referred to as “the lady” is addressing both her daughter and *Ti Sentaniz* at the same time. The contrast in the manner in which she speaks to her own daughter and her servant is ghastly. To one, she is saying my little doll and to the other, you little brat, vermin. She is showering one with kisses, dressing her in the best garments while sending the other barefoot in rags scurrying around for this and that for the daughter. While engaged in a tirade of verbal abuse against *Ti Sentaniz*, the lady reproaches the girl stating, “When you get those little pests to stay with you, you think you are making some economy, but

¹ The 1984 Conference Report estimated the number of *restavèk* children to be at 109,000, and UNICEF which funded the 1984 conference is estimating that number closer to 225,000 as of 2011. Norwegian Social Scientist Anne Hatloy who conducted extensive research on Child Domestic Workers in Haiti for FAFO, another contributor to the 1984 conference states that the number is closer to 174,000. The 2013 Department of State Trafficking in Person (TIP) reported and estimated 150,000-500,000 children in domestic servitude, although an estimate is entirely omitted from the 2014 TIP report.

instead, you are abusing your health”(Sixto nd). Her regret that her investment in a restavèk turned out to be bad for her health rather than being economical shows that some receiving families use the practice as a source for free labor.

The community is unkind to restavèk children as well. While the neighbors praise the daughter for her beauty, they throw insults at Ti Sentaniz as if she is a different species entirely. Cadet (1998), the former Haitian restavèk whose case is discussed below recalls similar abuse by the community. He said the neighborhood children always shouted restavèk at him which made him feel hurt because it meant that he was “motherless and unwanted” (Cadet 1998:5) In addition to being called restavèk, a derogatory term and other degrading names, *Ti Sentaniz* carries the name of her host family because “quite likely, the restavèk child has only a vague notion of where she comes from, her age, or her family surname” (Andersons et. al 1990:4).

Ti Sentaniz was recited by Maurice A. Sixto (1919-1984), a former professor and writer known for his oral literature. Sixto constructed stories primarily in Creole which made them more accessible to the public and he covered social issues that characterizes Haitian culture. The narratives in his stories are informed by what he witnessed. He began each of his fables with “*Regards sur choses et gens entendu*—views on things seen and people heard” (Sixto nd). About Ti Sentaniz, he wrote, “And in that voice you could feel all the pain, all the slaps in the face she received, all the slavery she endured, all the lack of affection, all the humiliation” (Sixto nd). It is further humiliating that a degrading *ti* is added in front of the names of restavèks or they are called *ti garcon* or *ti fi*—little boy, little girl -- while they have to call the children of the house *Mademoiselle* or

Monsieur -- Miss or Mr. (Sixto nd; Cadet 1998: 3). Sixto could not help to see the hypocrisy of the host father who as a teacher is preoccupied with big books, with big words such as injustice when he does not see the injustice that he is a party to. He blindly ignores his wife's mistreatment of a child sent in their care for a better life. In 1989, at the height of human rights activism and the concern for children in domestic servitude in Haiti, a priest founded the *Foyer Maurice Sixto*. A center that works with children in domestic service located in Port-au-Prince, it is named after Sixto for his contribution to the narrative on restavèk.

A Real Story about a Restavèk Boy

One of the difficulties with studying restavèk is conceptualizing it. It is difficult to tell if children in fostering situations are victims of child labor or not, meaning if they are servants or really a member of families. Scholars agree that one way to distinguish a restavèk from a regular member of the family is by the tasks the child performs (Hatløy 2005; Levison and Langer 2010).

Typical tasks performed by domestic servants include cleaning the home; shopping for food; preparing food for cooking; cooking and serving meals; washing dishes; washing clothing and linens; drying and ironing laundry; child care, including dressing, diapering, feeding, taking to and from school and watching children; and care for the ill; disabled; or elderly, including the most intimate types of care (Levison and Langer 2010).

These tasks might seem normal but performed by a five year old, the typical age children enter the restavèk realm, they become excessive and dangerous. The ILO says young children should not be allowed to fend for themselves on the street of large cities. In large cities like Port-au-Prince with no traffic regulation and motorcycles zooming in and out, young children can be in grave dangers navigating the streets alone. A little bit of

responsibility at an early age might teach a child some work ethics but too much dependence on them for things like taking care of younger children might deprive them of their own childhood.

Restavèks are mostly engaged in domestic work, the sector that harbors a large number of child workers second only to the agricultural industry (ILO). However, according to the ILO some domestic work performed by children can be construed as child labor, especially when it meets the criteria that define child labor, such as being hazardous or not age appropriate. An example of child labor in domestic work is corroborated in the story of Jean-Robert Cadet, a former restavèk whose famous 1998 autobiography, *Restavec from Haitian Slave Child to Middle-Class American* put the term restavèk into the consciousness of the international community, to wit: nation-states, NGOS, advocacy groups and scholars. Cadet claimed:

I grew up sleeping under the kitchen table. I got up early, swept the yard, washed the car, fetched water, and emptied the chamber pot. I went to the market, bathed the children, walked the children to school and I couldn't come to school. I never ate with the family. I was abused physically. I was abused emotionally with bad words (Loney 2010).

Cadet's was a situation of child labor. He performed domestic work between the age of five and 15. He was physically and emotionally abused. The ILO listed the most common risks to children in domestic service as: "long and tiring working days; use of toxic chemicals; carrying heavy loads; handling dangerous items such as knives, axes and hot pans; insufficient or inadequate food and accommodation, and humiliating or degrading treatment including physical and verbal violence, and sexual abuse" (ILO

n.d.). Based on these examples and the international definition of child labor, it can be inferred that restavèk can sometimes be a situation of human trafficking.

For contextual purposes, it is important to note that unlike the receiving parent in *Anita* who was not wealthy, the “masters” in Cadet’s story had material possessions, which exhibit wealth in Haitian standards. As demonstrated in Chapter 2, the socioeconomic situation of Haiti is not ideal and most people lack the basic privileges first world citizens take for granted. Until Sirona, three villages in Haiti never had electricity and thought of it as a commodity for the rich. The restavèk host families in Cadet’s story had refrigerators, televisions, and uninterrupted electricity (since Cadet said he would have secret rendezvous with another restavèk, René to watch *I Love Lucy* through their hosts’ windows at night). René’s father, referred by Cadet as a “stingy mulatto” had a small fleet of taxis (1998:18). The fact that this group of urban elites could afford to hire help, such as chauffeurs, maids and gave their own children the best education all the while treating those they promised to safeguard with such violence demonstrate that restavèk is more than just a source of free labor. It is a practice that have become so naturalized that the children do not appear to be children at all but merely means of production just as in the days of slavery.

In addition to performing domestic work, Cadet was subjected to the worst forms of abuse. The abuses and the injustices that he both endured and witnessed culminated in psychological problems. Cadet recounts the story of a fellow restavèk who was sadly beating to oblivion by his host for stealing two dollars and the guilt that he felt afterwards for partaken in the spoil of that money. He felt even more grieved because even as the

boy was beaten unconscious, he never implicated Cadet in the deed. The story in his own words:

René was severely beaten with a *rigoise*—a whip made of cowhide. Every strike lifted the skin and formed a blister ...He was made to kneel on the bed of hot rocks, used by the maids to whiten clothes under the punishing tropical sun, while holding two-mango sized stones in each hand high above his head. After René blacked out, Monsieur Beauchamp threw him in the backseat of his car and drove to the police station. The police brought René back late in the afternoon. His nose was bleeding, his eyes were swollen shut, and his lips resembled two pieces of raw cow's liver. His puffy face was twisted to one side and his ragged shirt was glued to his broken body. That night I listened for René's whistles that I knew would never be heard again (Cadet 1998: 19-20).

Cadet was grieve-stricken by the disappearance of René which he said caused him to live in fear and anxiety. He was haunted by the memories of his friend and feared each time he committed the slightest err, he would suffer the same fate. In a study conducted in the United States of trafficked children, Gozdzia (2008) found "A relatively small number of children in our study met the criteria of Post-Traumatic Stress Disorder (PTSD) (913). The picture Cadet drew of the incident invoked horror filled images of the scarred back of a whipped slave. These images instilled in the memory of a child can have severe traumatic effects.

Cadet (1998) suggested several time in the book that he feared being taken to the police for a beaten suggesting that it is a common practice to take restavèk children to the police for corporal punishment. The Global Slavery Index states that the United Nations Mission for the Stabilization of Haiti (MINUSTAH), which has been in Haiti since former President Jean-Bertrand Aristide was ousted in 2004, reported "Police officers often use excessive force and operate with impunity" (2014:63). How can the police

whose mandate is to protect the civil rights of citizens be implicated in such abuse? If the police is condoning the practice of *restavèk* and the abuse of children in the system, then who will enforce the laws that are created to prevent the exploitation and abuse of children? Cadet never gave a chronological timeline of his childhood in Haiti but through the mentioning of political events such as the assassination of President Kennedy, and his migration to the United States shortly after when he was 15, it can be inferred that the events Cadet described was between the late 1950's through the 1960's during Papa Doc's reign. It was at the height of human right abuses and many laws have been created since to address the issues brought forth in Cadet's book. However, the effective of these laws in preventing abuse in the scale that Cadet experienced today, is unclear.

There are many names for the instruments of torture used on children in Haiti—the *matinet* (see fig. 3), the *rigoise*, the *fiette*. Cadet was well acquainted with these instruments of torture. He was punished regularly for the slightest indignation— not doing well in school, for not doing his household chores correctly, for *playing* when the other children played, for bedwetting. He said, “Now the bedwetting became a nightly occurrence and the beatings a daily routine” (Cadet 1998:20). While bedwetting is understood as a psychological issue, Haitian parents think it is something that the children can control. Inaccurate knowledge about child development may play a role in child maltreatment. The lack of knowledge about normal child development led to the unrealistic expectations that Cadet could control bedwetting for example, which culminated inappropriate punishment because the parent is frustrated not knowing how to

manage the behavior (Korbin 1981). The berating he experienced as a result of something over which he had no control probably aggregated the problem.

Childhood Maltreatment in Haiti

The reason *restavèk* is a problem worthy of attention is because it is so prevalent and many cases have the potential to turn into a situation of trafficking. The Minnesota Lawyers Human Rights Committee claims, “The evidence suggests that most *restavèks* [*sic*] are beaten, and girls may be sexually abused” (Andersons et Al. 1990: v). Child abuse in this case is characterized by beating, child neglect, and verbal abuse. In a study conducted by Fulbright scholar Martsolf in 2004 “to describe the prevalence of childhood maltreatment among Haitian adults,” it was found that “over half (60%) of the women and 85.7% of the men reported at least one type of childhood maltreatment at the moderate to severe level” (2004, 296). Child mistreatment is closely associated to poverty thus the socioeconomic conditions of Haiti most likely contribute to the high prevalence of child abuse in the country. It is further found that, “At the community level, the risk for violence is increased in areas where poverty is high and social capital is low” (Martsolf 2004:294). From this standpoint, the mistreatment of children in Haiti is not exclusive to *restavèk*.

The difficulty with the assumption that *restavèk* are trafficking victims because of their mistreatment is that punishing children is not uncommon in Haiti. In fact, Hatløy (2005) claims while “It is often held that domestic child workers are particularly vulnerable to physical punishment (UNICEF 1997). Our data show that 57% of child domestic workers are usually physically punished. These numbers are high, but one must

take into account the context- specifically, that as many as 68% of the other children are also physically punished” (23). Light beating for disobedience is not an abnormal practice. Any authority figure, relative, school official, church member, or older person in the community can reprimand a child. An article by the online periodical SunSentinel published in Florida, a state with a great number of Haitian immigrants, states “In Haiti, society sees physical discipline as a necessity in raising a child. Parents don't have to look over their shoulders in a land where elders still are viewed with respect and the *matinet*—a wooden stick with three leather straps—is the tool of choice to enforce discipline” (2003 italics added). The elaboration on the punishment of Haitian children is not to dismiss the abuse of children in restavèk situations but merely to point out that children in fostering arrangements are not always restavèks or victims of child trafficking simply because they are mistreated. This is not to say that restavèk is normalized because child abuse is more prevalent. There are many facets to restavèk besides the abusive nature. There is the forced labor element and the withholding of the child’s civil rights. It is to say that child abuse is prevalent in Haiti irrespective of restavèk. The relationship between restavèk and child abuse is more correlational than causal. That is to say, child abuse is prevalent in Haiti; Restavèks are children thus are likely to experience child abuse. Although the abuse experience by the restavèks showcased in this thesis and as is supported by the literature is insurmountable and is most likely more severe than that experienced by the regular children population in Haiti. In fact, the Minister of Social and Labor Affairs of Haiti is quoted saying in 2007 that ‘if the majority of children in Haiti is

not spared by the violence, restavèks are those who suffer the most brutal violence' (Clouet 2013).

Additionally, according to the *Encyclopedia on Social Work*, the Haitian family structure is a hierarchal structure linked vertically in which the younger members (children) are subordinate to the old (Mizrahi and David 2008, 310). This hierarchal structure can explain the inferior treatment of children and is evident in the common used Haitian proverb “*timoun se bet*”, meaning ‘children are animals.’ A woman interviewed by the media after the deadly 2010 earthquake, said she would never turn her 11-year-old and six-year-old daughters over to a Haitian family, as tens of thousands of other poor parents have done in the wake of the quake. "Not a Haitian family. Haitians will make them suffer" (Loney 2010). The sad reality is that many sending parents are aware of the risk of sending their children to live with a stranger but perhaps their rationality is that the benefits outweigh the risks.

Child Development Theories

Child mistreatment might adversely affect child development. According to an article in the *Economist* about spanking children, “30 studies from various countries show that children who are regularly spanked become more aggressive” (Spare the Rod 2014:34). There are many theories and explanations of the causes of child abuse and child exploitation but the narrative on restavèk is limited. Literature on restavèk tends to frame the practice in terms of child development issues (Andersons et Al. 1990). The Minnesota Lawyers Committee claims that “many, if not most, restavèk children live and

work in conditions that fail to meet the standards embodied in the Labor Code, to the detriment of their physical, emotional, and intellectual development” (Andersons et Al. 1990:30). Their physical development because they are beaten regularly; their emotional development because they are verbally abused and are traumatized by their experience, their intellectual abuse because they are often excluded from school and are hard of learning due to trauma. Additionally, they are malnourished, a common cause of infant mortality and underdevelopment.

In Ile, a small island off the southern coast of Haiti where we conducted interviews as part of the 2014 Social Impact Study, the participants complained that their children were not as developed as children from the mainland because they lack the proper nourishment and educational development. Underdevelopment of children is a common concern in Haiti. According to UNICEF “almost every other major indicator related to child health and development in Haiti is far worse than the regional averages”. This reality is even more pronounced in rural areas where the 2014 Social Impact Study was concentrated. There is a strong causal relationship between poverty, under development, and restavèk. The Minnesota Lawyers Human Rights Committee asserts that “the primary causes of restavèk are rural poverty and underdevelopment” (Andersons et Al. 1990:32). Inversely, the living conditions of a restavèk can effect development, especially if the child is deprived of an education, mistreated and forced to perform domestic work.

However, as was alluded to in the introduction, some experts believe not all work performed by children are detrimental the development of the child. The ILO argues that

“Especially in the context of family farming, small-scale fisheries and livestock husbandry, some participation of children in non-hazardous activities can be positive as it contributes to the inter-generational transfer of skills and children’s food security.” This approach of viewing child labor in terms of a socializing and training for the children is gaining ground in the anthropological field as well (Nieuwenhy 1996). In her article “The Paradox of Child Labor in Anthropology,” Nieuwenhuys (1996) argues that anthropologists studying the issue of child labor tend to lean heavily on the condemnation of child labor. She argues that defining child labor solely in the context of underdevelopment denies the children’s agency in the creation and negotiation of value (Nieuwenhuys 1996:237). She believes that productive work is one way that poor children can negotiate childhood. She asserts that the underestimation of children’s production of value makes them more vulnerable to exploitation and that is the paradox. In another word, children’s exclusion from paid employment, leads to their vulnerability in unpaid domestic work. She claims that “western” legislation condemns waged labor while condoning certain activities such as unpaid domestic work. Further, she says, “these activities were lauded for their socializing and training aspects” (Nieuwenhuys 1996:239).

The ILO which according to Nieuwenhuys (1996) propagated these western legislations has since expanded its definition to include the prohibition of certain work performed in the home as well. Under Convention 189 ratified in 2011, ILO distinguished between works performed in a child’s own home and works perform at a third party. The latter is considered child labor, paid or unpaid. Nonetheless,

Nieuwenhuys (1996) condemns the legislation for prohibiting children working for their own upkeep, especially when the state fails to provide children the basic necessities of life. She states, “Considering the low cost of children’s labor, it is indeed surprising that employers do not avail themselves more fully of this phenomenal source of profit” (Nieuwenhuys 1996:239). The assumption here is that the market in developing countries can afford even cheap labor. She fails to consider the competition in a labor force that is lacking in opportunities. She does not take into account the availability of remunerated employment in developing countries.

In Haiti where unemployment is extremely high and people gain their subsistence through the informal sector, gainful work is scant for adults and more so for children. Furthermore, she is assuming that the state has the means to provide children with what they need to lead a normal life. The economic situation of Haiti does not allow it to provide even the most basic welfare to its citizens. If the state had the financial feasibility, it ought to subsidize farming and extend upper level education in rural areas. However, as was demonstrated in Chapter 2, the state does not have the means and neocolonialism market ideals have crashed the peasant economy. The problem with *restavèk* is that the supply of labor far outweighs the ability of the people to pay even for low cost labor.

Stigmatization

Scholars writing on *restavèk* tend to offer a version of the phenomenon that suggest some naïveté on the part of the sending parents— “*restavèk* children emerge from a social system in Haiti in which parents who are unable to care for their children

send them to relatives or strangers, usually in more urban areas, where they will, the parents who send them believe, do light housework, in exchange for food, shelter, and education” (Parreñas et al. 2012:1024). The testimonies of the 2014 Social Impact Study participants suggest that Haitians know the implication of *restavèk*.

Even so, some Haitians in my sample denied the existence of *restavèk* and appeared to shun it and dismiss it as a thing of the past. Although the practice is socially accepted or at least tolerated, there is a social stigma attached to *restavèk* (Hatløy 2005, Rodriguez 2011). My interlocutors in Haiti were ashamed to discuss *restavèk* and would make known when asked if they have sent any of their children to live with relatives, that they are the “only master of their children.” This statement is telling because master is a term associated with slavery. Cadet (1998) also used the term masters to describe the relationship between *restavèks* and their keepers (18). This supports the claim that Haitians view the *restavèk* practice as a vestigial form of slavery (Andersons et Al. 1990: iii). This could also signify that Haitians are now reluctant as a result of this knowledge, to relinquish their children to another. This kind of knowledge can be a powerful tool in the deterrence of rural families from sending their children to live with acquaintances in the city and thereby end the practice of *restavèk* altogether.

As previously stated, the translator provided by UNEP, a native of Haiti, warned me to be careful of whom I identify as a *restavèk* since some children who are in child fostering situations are considered part of the family and are not subjected to the same treatments as *restavèks*. I was already conscious of this dilemma before embarking on my research, because I have experienced and witnessed both sides of the child fostering

system, but it was how resolved he was at convincing me that there was more of the good than the bad that made me suspicious. He seemed almost aggressive in his resolution and even asked me once, to consider researching another topic. He claimed that the restavèk phenomenon is disappearing in Haiti and that there is no longer a need for further research into the topic. He was so adamant about me reshaping my questions about sending children to “stay with relatives” and not mentioning restavèk in order to not offend the participants. This supports my earlier claim that there is a social stigma around the practice. The stigma associated with restavèk can form a barrier to social changes and slow actions to eradicate restavèk.

Why Take the Risk? Push and Pull Factors? Structural Vulnerability

In spite of the ill-treatment of restavèks, the general knowledge of the conditions for the children and the stigmatization of the practice, many Haitians continue to enlist their children to a life in domesticity. Rural children are the most vulnerable to restavèk because they are poor. According to the 2014 Global Slavery Index, the factors that affect vulnerability to enslavement are economic and social development, political and legal apparatus, social inequalities and discrimination. All these elements have been explored in this thesis and their historical development mapped.

This thesis has established so far that restavèk is rooted in colonial practice of forced labor. It has further contended that one of the primary causes of restavèk in addition to it being historically embedded is rural poverty. The continuance of the plantation system post-evolution led to the inevitable collapse of the peasant economy. This was aided by foreign injection of ill-suited neocolonialism ideologies into the

market. With no agricultural resources, and being left outside of the political influence, the peasants suffered. The state unable or unwilling to provide the poor people with the basic necessities to lead a normal life, they fell into despair. To preclude their children from a life of suffering, the poor rural parents made the tough decision to send their children to the city to live with others in the hope of a better life. The sending families are pushed by socioeconomic circumstances. They are then pulled by the prospect of better shelter, education, development for their children from the receiving family. In this regard, the risk of sending children to be restavèks is framed as a family decision. Push and Pull Factors and structural vulnerability seem to sum up perfectly the risk mitigation strategies of the sending family. However, the choice of the sending family is far from being voluntary. As demonstrated in the historical chapter, they are forced by legal and political apparatus imposed by both internal and external influences.

CHAPTER FOUR: THE LAW AND ITS LIMITATIONS

Laws create the conditions for different kinds of rights to be either protected or ignored.

Linda J. Seligmann

This chapter endeavors to demonstrate that laws, while intended to protect the disenfranchised can have detrimental consequences. Despite the underestimation of the agency of children, they are human being and as such have civil rights. There are three widely recognized generations of human rights norms: civil-political, socio-economic, and communal rights. The first two are embodied in the international Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights respectively, both of which were adopted by the United Nations General Assembly in 1966. They represent potential claims of individual persons against the state and are firmly accepted norms identified in The Universal Declaration of Human Rights. The latter which represents potential claims of groups rather than individuals against the state is not as widely recognized in the legal and political sphere.

The first generation of human rights, also known as the civil and political rights pertains to liberty and participation in political life, to wit: the state creates conditions whereby everyone may enjoy civil and political rights. The norms were designed to

protect the individual against state interference. They include the right to vote, right to assemble, right to free speech, right to a fair trial, right to freedom from torture, abuse, slavery, right to protection of the law, and right to life. As seen in the historical section of this thesis, the state has continued to infringe on the rights of its citizens since before the inception of the republic. Peasants are denied of their right to political participation. The state has not made effort or has not been able to protect its people from abuse and slavery.

Article 8 of the International Covenant on Civil and Political Rights States “No one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited, no one shall be held in servitude, and no one shall be required to perform forced or compulsory labour [*sic*].” In spite of slavery being explicitly condemned in the Universal Declaration of Human rights and the International Covenant on Civil and Political Rights, there are still an estimated 20 million slaves worldwide (Department Of State 2014) . As was seen in the introduction, the Convention on the Rights of the Child established in 1990 specifically protects children from child labor conditions under Article 32.

The second generation of human rights calls for egalitarian redistribution of wealth. Under these rights, the government is prohibited from denying access, entitle individuals to get protection from state if third parties interfere with rights, and oblige states to take measures to improve overall social conditions . As such, they are called positive rights because they oblige action on the part of the state. They include the right to education, right to housing, right to health, right to employment, right to an adequate

income, right to social security. This generation of human rights is in line with Marxist ideologies. In his condition of the English working class manifesto, Engels envisioned the idea of the state facilitating the redistribution of wealth and held that “the ruling power of society, the class which at present holds social and political control, and bears, therefore, the responsibility for the condition of those to whom it grants no share in such control” (Engels 1845:198). The urban elite has continued to maintain control not only over land and resources (even those produced by the peasants) but of the political apparatus as well. In this regard, the elite and the ruling class—Trouillot (1990) made a distinction between the two— should contribute to the welfare of the less fortunate. The prevalent argument is that governments lack the necessary resources to fulfill the obligations set forth in the second generation of rights.

In spite the debates about the universality of human rights and their feasibility, the international community, i.e., the UN, ILO has created laws for the protection of human rights. With regards to human trafficking, it began in 1899 in the form of international efforts to end the traffic in women for the purpose of prostitution. In 1921 the League of Nations, the precursor to the United Nations established the committee on the traffic in Women and Children. The condemnation of child labor began with a wave of legislation introduced by western industrial society in the mid-nineteenth century as a result of outcry against the exploitation of children in factories. Mainly western European countries and the United States spearheaded this campaign (Nieuwenhuys 1996). A slew of other legislations followed for the abolition of prostitution and in 1949, a few years after the establishment of the United Nations, the *UN Convention for the Suppression of*

Traffic in Persons and the Exploitation of the Prostitution of Others was enacted. In the 1990's human trafficking resurfaced in the Human Rights agenda and "70 countries, including Haiti ratified the existing 1949 convention" (Gozdziak and Collett 2005:101).

The law had to be expanded to account for children and other forms of trafficking so in 2000, the United Nations General Assembly, adopted the Palermo protocols, one of which is the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. It is also referred to as the Trafficking Protocol or UN TIP Protocol. The Trafficking Victims Protection Act (TVPA) enacted by congress in 2003 is one such measure. It defines human trafficking as "the recruitment, harboring, transportation; provision; or obtaining of a person for labor or services; through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt, bondage, or slavery" (United States 2000: 114). The U.S definition of human trafficking is employed because it is consistent with the Palermo Protocols which Haiti has ratified. The U.S has taken upon itself to monitor the compliance of the Palermo protocol standards through its annual TIP report and Haiti is one of the reporting countries. The TIP report generated by the State Department is relevant to this research as it provides an idea of the scope of child labor in Haiti and Haiti's compliance with international standards.

The TVPA in consort with the Palermo protocols criminalizes the trafficking of persons and establishes methods of prosecuting traffickers, preventing human trafficking and protecting victims of trafficking. However, critics of the Palermo Protocol argue that there are limitations that prevent it from being an effective criminal law tool (see

Gozdziak and Collett 2005; Parreñas et al. 2012). The protocol relies on individual countries to adopt the law and adheres to the international conventions, which is difficult particularly for poorer countries. Poor countries lack the financial strength to create institutions that can enforce the law. Additionally, the U.S act established the Office to Monitor and Combat Trafficking in Persons, which is required to publish a Trafficking In Persons (TIP) report each year. As was demonstrate in the introductory chapter, The TIP report ranks countries using a tier system developed based on compliance with the TVPA's minimum standards, which are consistent with the Palermo Protocol.

Nearly two decades prior to the U.S TVPA, preceding the U.N Convention on the Rights of the Child, Haiti provisioned for the protection of children in its 1984 Labour [*sic*] Law—Code du Travail (Anderson et al. 1990; Hatløy 2005). This law which was passed in response to international pressure for human rights violations began under the Duvalier regimes, set the age limit at which children can enter the work force. It prohibits paid work, domestic work included, for children under the age of 12. Above 12 years old, children can perform domestic work in exchange for lodging, food, and school or professional training. At the age of 15, work performed by children has to be remunerated with a salary equivalent to adults. This explains why most *restavèks* fall between the age of five and 15 (see Anderson et al. 1990; Cadet 1998; Hatløy 2005). Once *restavèks* attain the age of 15, if they have not run away to live on the streets, they are kicked out by the host family. By this time, having no recollection of their surname or where their biological families live, they join the other homeless children or seek paid employments as domestic servants with other families (Anderson et al. 1990). The law not only offers

very limited protection to children in restavèk situations, it facilitates it when it allows for the exchange of labor for living arrangements. In addition, it relieves the receiving family of the obligation to continue to provide the basic necessities to the children once they are 15 when it orders the families to start paying these children. The Minnesota Lawyers Human Rights Committee claims, “Because the placement of the child with the employing family usually severs the child's contact with her own family, her subsequent welfare is wholly dependent upon the urban family” (Anderson et al. 1990). If the host family has not kept their promise until now to care for the child as if their own, it must feel no moral obligation to keep providing for the child once said child achieve the age of which she can no longer be exploited for free labor. Additionally, why should the family pay when they have a ready supply of fresh children they can fetch from the countryside?

One might wonder why the receiving families do not simply illegally employ the teenagers without pay as they do with the children under 12 years old. Hatløy (2005) claims that “the legal minimum age for Restavèk, or child domestic work, in Haiti is twelve however; our results showed that 46% of the male domestic workers and 41% of the female domestic workers were less than twelve years of age” (23). One explanation is that younger children will not report the family to the authorities. It is unlikely the older child would report the family either but as they grow older, they might learn of their rights by word of mouth. Even if the authorities learned of a child under the age of 12 working as a domestic servant or a teenager over the age of 15 working as an unpaid domestic worker, would they do anything about it? Do they have the mechanism to enforce the law? Evidence points to no.

Another criticism of trafficking laws is that they do not take into account the consent of individuals (Gozdziak 2008, Parreñas et al. 2012). On the dilemmas of studying trafficked children, Godziak et al. (2005) reflected, “we had few dilemmas in accepting the legal framework which presumes that children have no volition and therefore classified them as trafficked children whether they were forced or coerced into following their traffickers” (912). Particularly with children, the law assumes that as minors, they cannot consent and therefore if they are engaged in labor, it is trafficking. In this regards *restavèk* is classified as trafficking since the children perform unpaid domestic service for which they cannot consent. Scholars, who criticize the law for this supposed oversight, are concern about the children being perceived as victims, which can have traumatic consequences for the children later (Godziak 2005). In the case of *restavèk* however, children do sometimes identify as victims. Of the *restavèk* cases reviewed in this thesis whether fictional or real, none of the children seemed happy. They vocalized their unhappiness and often ask of their oppressors to treat them better. Although Cadet (1998) never used the word victim to describe his experience as a *restavèk*, he uses languages of victimization through his expression of grief, hate, fear and regrets and thoughts of vengeance. For *restavèks*, it is not the perceived identity as victims that causes trauma. It is the abuse they suffer during that experience that haunts them into adulthood (See Cadet 1998). In this regards, the laws prohibiting children of a certain age from the workforce can reduce traumatization of children if the right mechanism is in place to enforce the law.

Another concern is that the law ignores children's agency and as discussed previously, it precludes their participation in the production of value (Godziak 2005, Nieuwenhuys 1996). It is important to note while the law, in the experts opinion, might be a hindrance for children under the age limit set by the authorities who which to participate in the production of value, it could work to prevent underage children participating in mindless, unproductive work, hazardous to their health and intellectual development. However, Nieuwenhuys (1996) argues that the unpaid domestic work turns children into "inactives [*sic*]" (243). As already discussed in Chapter 3, the anthropologist supports productive paid work for children but she argues it is the law's preclusion of children in the labor force that creates the opportunities for children to undertaken unpaid unproductive work at home. Therefore, she argues, "It is then not so much their factory employment as their engagement in low-productivity and domestic tasks that defines the ubiquitous way poor children are exploited in today's developing world" (Nieuwenhuys 1996:245). In her unequivocal support of children participation in the labor force, Nieuwenhuys fails to address the exclusion of infants. As previously noted, a majority of Haitian children engaged in child labor are between the ages of five and 14. Cadet (1998) was sent to live with his abusive host mother when he was a year old and to his recollection he began doing domestic work at the age of five. He wrote, "At the age of five I had begun to hate Florence" (Cadet, 1998: 9). Can a child who is five contribute to the production of value? Can children that young be expected to earn their own keep? Where do we draw the line?

Adoption Laws and the Hierarchical Structure of the Practice

The United Nations Convention on the Rights of the Child was enacted in 1989 to stop wrongful adoptions but was subsequently replaced by the Hague Convention on Intercountry Adoption in 1994 amid scandals of “horrendous conditions of Romania’s orphanages” after the country’s Stalinist leader, Nicholas Ceausescu was ousted (Seligmann 2013:30). Linda J. Seligmann’s (2013) ethnography and specifically her analysis of transnational adoptions are of importance to this research in light of the adoption scandal that ensued in Haiti in the aftermath of the 2010 earthquake. According to Seligmann, legal and political apparatus, like the Hague Convention on Intercountry adoption are implemented to prevent corruption (i.e. selling children) but can sometimes turn into a political and economic device that is used to regulate the people it seeks to protect.

Inversely, certain legal tools like the previously mentioned “humanitarian parole program” can have detrimental effects on those it seeks to aid. Seligmann claims that the convention attempts to regulate the heterogeneity of adoption practices through an emphasis on cultural heritage and the encouragement to keep children with their original family (2010: 34-36). From this standpoint, while the mandate of the convention is to prevent corruption, it can lead to more barriers to adoption. Such complexities result in fewer adoptions because it discourages suitable parents from adopting children. This is precisely the argument that pro-adoption groups were making during the 2010 earthquake and they accused UNICEF advocates who are for keeping children with their original family of denying the children a better life. These groups, “accuse the advocates of using endless, often unsuccessful, attempts to locate the children’s biological relatives to deny

tens of thousands of needy Haitian orphans the opportunity to be placed in loving homes” (Thompson 2010). The New York Times article claims that UNICEF refused to place children in foreign-run orphanages for fear of children being taken overseas before all efforts had been exhausted to locate their family. For some, the Hague convention and the UNICEF were effective in preventing the improper adoption of children or child trafficking in Haiti but for pro-adoption groups, the international law served as a barrier to adoption.

Despite being well-intended, the humanitarian parole program the Obama administration invoked to deal with the displacement of children in the aftermath of the earthquake facilitated child trafficking as in the case with the ten missionaries who lifted children they claimed were orphan without proper documentation. At the beseech of adoptive parents and congressional support, the parole program ran by the Department of Homeland Security lifted visa requirements for children in the process of being adopted by Americans:

Under a sparingly used immigration program, called humanitarian parole, adoptions were expedited regardless of whether children were in peril, and without the screening required to make sure they had not been improperly separated from their relatives or placed in homes that could not adequately care for them (Thompson 2010)

Although the program has ended, the administration defended it. They were merely responding to their constituent’s request to save the poor primitive people. This thesis draws on the unequal power relationship that was at play during the adoption controversy. Using Leslie Hollingsworth (2003) social justice analysis of transnational adoption, Seligmann acknowledges that even in an egalitarian framework, which

champions an evenly distribution of liberty, opportunity, income and wealth, the playing field is not level. The social inequalities of source countries which create the condition for a high supply of children making adoption possible for receiving nations result in unequal power relations between sending and receiving nations: Similarly to *restavèk* situations, adopting families benefit from social inequalities such as poverty in sending countries. This dilemma was apparent during the adoption “bonanza” that occurred in the aftermath of the 2010 earthquake in which concerns of adoption malpractice and child trafficking was rampant (Thompson 2010).

The adoption crisis like many social exchanges in the country revealed the unequal power dynamic that shapes Haitian society. Seligmann (2013) describes how certain socioeconomic factors play an important role in how parents are able to adopt a child and the power dynamic that exist between the parent and the child. American adoptive parents driven by ideas of saving “poor primitive” children in risk and the desire to give them a “better life” (Seligmann 2013:11, 52) can result in haste decision making that has negative consequences for the children latter. Children have no agency in the adoption process and can become powerless if adoptive parents choose to relinquish their parental rights if the situation does not work in the parents’ favor (see Seligmann 2013). Several parents who signed up to adopt children during the infamous earthquake have backed out of the agreements and some of the children are powerlessly waiting in limbo at foster cares throughout the United States while the government decides what to do with them (Thompson 2010). Seligmann (2013) concluded , “The American public has also come to reluctantly acknowledge that however much it wishes it were otherwise, children

have been treated as commodities and that forming a family, as intimate an undertaking as some might desire it to be , is subject to corruption, public exposure, and criminality” (283). With this knowledge, both governmental agencies and private parties seeking to alleviate the suffering of the marginalized should proceed with caution. Adoption laws have to be strengthened in Haiti so as not to allow a repeat of 2010 but it has to be regulated in such a way as to not discourage legal adoption of Haitian children who could benefit from having a family that could potentially give them a better life. Adoption is likely a more viable option for a child than being placed as a restavèk but only if the biological parents have completely and legally relinquishes their rights. In summary, the issues highlighted above demonstrate that without the proper institutions, laws have very little power and can have adverse effects.

CONCLUSION

As part of this thesis; I conducted an analysis of restavèk. Restavèk is the term used to describe the (typically) Haitian practice which parents essentially relinquish their parental rights to another who agrees to provide the child food and shelter. The expectation is that the child will perform cheap labor. It is widely recognized as a form of indentured servitude. The purpose of this research project was to explore the factors that fuel this practice. This paper attempted to answer the question: "Is restavèk human trafficking?" The answer to this question is: it depends.

From this analysis, it became apparent that restavèk constitute child trafficking most of the time because the laws that exist to protect children are not being enforced. As a result of international pressure and the popularization of human rights after the Cold War, several international conventions were enacted to address human rights violations globally. With the increased preoccupation with human rights, Haiti was on the spotlight emerging from almost three decades of dictatorship under Papa Doc and Baby doc (1957-1986). The existence of serious child exploitation concerns brought to light in the 80's under the Duvalier regime created a demand for legislations for the protection of the child. The 1984 conference that was held to address the child abuse concerns promulgated several legislations to protect children in domesticity in Haiti. However, the country lacked the institution to implement and enforced these laws. Although there are

laws that regulate child labor and child domestic work, the rules are not followed most of the time, thus resulting in child abuse. The 7.3 magnitude earthquake that devastated the country in 2010 further heightened the attention on child trafficking, sexual violence. There were increased reports of child relinquishment, which the experts claimed increased the existing risks posed to children.

Ultimately, the purpose of this project was to answer the call of the United Nations to “Think Globally and Act Locally”. It aimed to address the global issue of human trafficking while raising awareness about the prevalence of child trafficking locally in Haiti and to address key theoretical questions in doing so. In addition, it hoped to contribute to the anthropological literature on *restavèk* by yielding knowledge that will be useful both inside and outside of academia. *Restavèk* is a largely unknown phenomenon outside of Haiti, so the findings of this research can help make it better known in public and academic work on human trafficking. In addition, this project could potentially be useful for implementing programs internationally to eradicate child trafficking. The results of this research can be useful to labor rights and anti-human trafficking advocates, students conducting research on the topic, and the public.

This thesis concluded that *Restavèk* is engrained in the fabric of Haitian society through *habitus*. Although stigmatized, the practice is a socially accepted form of labor. The abuse associated with *restavèk* also comes from a culture of child maltreatment. *Restavèks* embody violence through the suffering and humiliation they endure. It is classified as human trafficking because it fits the criteria of child labor. The biggest

contributing factor to restavèk is the socioeconomic situation of Haiti rooted in colonial past.

In order for any real changes to occur in the restavèk system, a bottom up approach has to be taken. Rural parents have to be educated about the real dangers of committing their children to a life of domesticity. The agricultural economy has to be revived and the same social benefits available to the urban population such as education have to be extended to rural areas. The state has to subsidize farming to the best of its ability not only to better the economy of the country but to create demand for the unlimited supply of labor. Essentially a Marxist approach in which the state bridges the class divide between the dominant urban elites and the rural peasants would be the most desirable. It should encourage the dominant class to share control of the state apparatus through the decentralization of the government. A stable decentralized government with stronger institutions will allow the enforcement of existing child labor laws. Technological advancement would be useful in monitoring practice of child labor. And finally the intellectual development of the people could alter society's attitude about the role of the child and thereby stop the practice of restavèk.

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