



Haiti's "Restavec" slave children: Difficult choices, difficult lives ... yet ... *Lespwa fe Viv*¹

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Please let me go back home! Don't make me stay here! I think I'm only about 11 and why can't I be with my family? Why do I have to stay here? I wish I were back home. I miss it so much!

With that tragic plea for help,² a young girl continues her miserable experience in a strange home with a strange family. She lives in the impoverished land of Haiti as a domestic worker. Although the Haitian government has no official statistics, this young child is one of 250,000 victims in a practice that causes immeasurable harm. She is not a statistic; this child is a "Restavec".³

I work so many hours and I get no money. All I do is work. Everyday it is the same thing: clean, cook, and care for the other kids. It's so scary. I never get to play and I can't leave. I wish I were back home. I miss it so much.

There are several characteristics that are usually commonly found in a "restavec". The child will be a girl.⁴ She will be about nine years old and possibly younger. In addition, she will have been born into extreme poverty and she will be a black, dark-skinned child. Also, it is almost certain that she will have suffered mental abuse, physical abuse, and sexual abuse. Finally, in most every case, the child will have a single simple wish: to return home from her life as human commerce. However, the "restavec" has no literal, social or political voice. The "restavec" has no life and her wishes are silent.

¹ Creole proverb that states: "Hope Makes Us Live".

² This fictional statement and the ones that follow are gleaned from the author's personal experience as a missionary at a children's orphanage in Haiti.

³ "Restavec" is a French term whose literal meaning, "staying with", is a disguise for children who grow up serving as domestic slaves in wealthy families' homes. Often these children are considered to be simply "staying with" their "host" family despite conditions worse than slavery.

⁴ Since over three-quarters of the servants are girls, the feminine pronoun(s) will be utilized.

I don't like it here. I just want to be with my momma. I know she said that this was my best opportunity for my life but I don't understand how all of this work will help me to survive. My momma seemed so sad yet she kept saying that this is the best thing for me. I don't know. The new family is scary and they act like I'm their slave . . . I wish I were back home. I miss it so much!

There are various paths that a child may travel to become a "restavec". The child's parents may have died since less than 50% of the population has access to health care in the metropolitan areas and an even more declining figure holds true for the urban slums where a majority of the "restavecs" originate from.

Possibly, the child may be labouring for relatives. Or maybe the most tragic rationale, the child's services may have been sold. The parents may have little money and simply wanted to guarantee that the child would be able to eat. The parents may believe that the "host" family's scraps may provide the best hope for the child's nutritional needs. In an odd but possibly logical thought process, the parents may believe that the transaction in human commerce is the best hope for the child's successful future. Therefore the child began to work in order to ensure some type of survival.

The Haitian culture

To successfully evaluate the origins, rationale, and choices that are made within the "restavec" lifestyle, it is necessary to examine the culture from within which decisions are made. Poverty and some form of slavery or oppression have been intertwined with Haitian culture since France and Spain divided the island of Hispaniola in 1697. Later in 1791, stirred by the spirit of the French Revolution, Haitian slaves fought and defeated Napoleon and gained independence. With the victory, Haiti proclaimed itself the world's first black republic and proclaimed a new day for its people. However, the dawning of the sun may have allowed the Haitians to rid themselves of colonialism, but it did not alleviate the systems of oppression (Pastor 1997).

Despite the revolution's promise of freedom and prosperity, Haiti has perpetually struggled with independently providing for its citizens. In conjunction with their mainly unsuccessful efforts, the United States and the world community have attempted to aid Haiti in its seemingly never-ending attempt to improve the island country in vital areas such as social order, the physical environment, and in insuring just legal systems through an impartial judiciary (Dieng 1999).

Throughout the 20th Century, the American occupation and "peace-keeping" missions may have caused excessive harm to Haiti's children during the most severe periods of Haitian upheaval. For example, most scholars and Haitian historians agree that the United States' Haitian invasion and occupation of 1915 to 1934 had only one lasting legacy: a professional armed force with modern weapons called the Garde d'Haiti, who allowed leaders to achieve total control of the state (Plummer 1992).

The occupation's two major accomplishments (a stabilized currency and reduced governmental corruption) were greatly offset by the deprivation of capital that occurred during American control. The first occupation left a bad taste with the Haitian collective, as America did not fulfil an explicit or even implicit promise of prosperity (Gibbons 1999). In the final analysis, the period of the worldwide depression through the end of World War II, found Haiti in an impoverished condition that still exists today through a myriad of social and economic indicators. According to the United Nations, Haiti is the poorest nation in the Northern Hemisphere with frightening economic statistics such as a 70% unemployment rate. In addition, the life expectancy is around 54 years for both genders with 131 per 1,000 children dieing before age five due to malnutrition. As a society, only 8 out of every 1,000 people have a telephone line and electricity is limited to only a few hours a day with little or no sewage system for the general population. (Chung)

Haiti's cultural landscape is also ordered by the defining characteristic of colour. Generally, there are poor "dark-skinned" individuals and an educated ruling class comprised of mulattos. These two informal but definite factions create the antagonists in a predatory system where the upper classes almost constantly benefit from the lower masses' poverty (Stotzky 1997).

The colour dilemma is as old as the island of Hispaniola itself and dark skin or a societal designation of "black" is an indication of extreme poverty while light skin and its corresponding European characteristics signify a member of the ruling class that comprise less than 5% of the population. However, across the colour spectrum, the polarizations within Haitian society are many: literate/illiterate, rich/poor, black/white, male/female, those who have clean water to drink/those who don't. Furthermore, language plays a part in the racial designation printed on a Cedula [Identity Document]. While almost all Haitians speak Creole, which is the official language, approximately 8% of the population are fluid in French. It is the usage of the fluid language that gives a differential access to power and prestige. Thus, in the minds of many, Creole is for peasantry and French is for the educated elite.

The complexity within the wealth, societal position and colour triad can best be summarized through a local saying: "Neg' rich se milat; milat pov se neg" or "The rich black is a mulatto; the poor mulatto is a black" (Trouillot

1991). It is within this complicated societal structure that the dark “restavecs” are almost always made to serve at the whims of a light-skinned ruling class.

Domestic service in the world

International statistics concerning child domestic service are very difficult to ascertain due to the “hidden nature” of the work within the home environment. For example, “restavecs” can be said to be “staying with relatives”, “temporarily helping another family”, “away at school”, or “boarding with a wealthier friend”. The various explanations may be true in part but they hide the true nature of the arrangement.

The few available studies have estimated the number of domestic workers to be in the millions worldwide. The majority of children are between 12–17 years old but ranging downward to 5 or 6. As previously mentioned, the vast body of disfranchised children is girls. Tragically, the hours these children work are long. Most start around dawn and work well into the evening with added responsibilities through the night such as caring for babies. Usually, domestic servants are acquired from poor families, single parent homes, and/or orphanages. Furthermore, most children live in urban cities despite beginning their lives in rural areas. In Haiti, their migration is mainly due trafficking in human commerce to urban buyers by *Habilitadors* (labour traders).

Obviously, the plight of the child domestic servant is not a positive one. Generally, the international community has taken note of the inappropriateness of the domestic arrangement with children. Specifically, the ILO-IPEC has targeted child domestic work as an intolerable form of child labour when:

1. It is contrary to fundamental human rights because the children are working to pay off debts, have been sold or are working without pay;
2. Child domestics are abused in the household;
3. They undertake activities that expose them to grave safety and health hazards . . .
4. They perform activities under hazardous working conditions and environment . . . such as risk of violence, sexual harassment, work in isolation or at night, and excessive hours;
5. The children are very young and the majority are girls.

Ultimately, almost all domestic servants suffer from at least one of the above conditions. The question must then be raised: why do children continue to be forced into domestic servitude?

The motivation behind utilizing children to work, and particularly to perform domestic service, varies. These “little adults” are often placed in the work force due to low margin of economic error that exists for poor families

(Mendelievich 1979). The employer's attraction for child labour usually rests with the often-mentioned factors such as lower wages, the need for unskilled labour, or some other rationalizations such as the "nimble fingers" argument that states that only children have the small appendices needed to do "intricate" work.

However, there may be an underlying rationale for the proliferation of child labour. Mainly, the child is greatly ignorant of her rights and generally requires less attention than adult workers. A child is more likely to take orders, perform menial tasks without complaining, less likely to steal, and less likely to be absent from work. They will tolerate conditions that an adult would not. For example, in the case of the Haitian domestic worker, the child will even take orders from younger children in the family in the same manner that an adult-slave obeys her child-master. Finally, a child may feel obligated to perform as a domestic servant in order to offset her potential drain on her birth family's meagre or nonexistent finances. Hence, the employer has many built-in motivational factors with which to "hold over" the child to insure compliance. Regardless of the specific underlying motivation, a "restavec" continues to work for one reason: she has no other choice.

Once a child has entered into the often-inescapable world of domestic labour, there are many ramifications for her life. As mentioned earlier, there are physical, mental, and emotional factors that effect the child's present and future. Obviously, a child may be fatigued from working at jobs that require an adult-like energy output. Therefore, a child may be more susceptible to illnesses such as colds, headaches, and other common ailments. This could be especially dangerous for "restavecs" due to the normally lack of available or utilized health care that is available in Haiti.

At the same time, a tragic psychological process may be at work in the mind of a child labourer. She looks upon herself as more "adult" than she really is. She finds herself conducting tasks that she has seen or that she imagines adults should do. In a restavec's case, running the house and caring for children are adult tasks that are beyond her childhood abilities. Therefore, she would place herself on an emotional plane that would be several years or levels beyond her physical reality. In a sense, the child reaches a level of "pseudo-maturity". It is from this position that she often gains a false sense of independence and she will be coerced or forced into adult like behaviours involving sex. Somewhat obviously, sexual exploitation is a primary danger for the female restavec. The sexual advance of a master toward a worker, even a very youthful one, is a norm for these types of labour arrangements. There has always existed a longstanding tradition that made sexual relationships between master and servant seem natural and socially acceptable. This system

had its origins in ancient Greece and Rome where household slaves had no control over their own sexuality (Fairchilds 1984).

Further adding to the tragedy of a restavec's sense of false adulthood, is the fact that a child worker has little or no time for play. The child suffers from a general lack of imagination and even daydreams are nonexistent. In reality, any field of labour is a difficult setting for anyone to create dreams or visions of future success. The difficulty level can be multiplied many times over for a child that is working as a domestic. This child will probably have no personal vision or goal for her life beyond the everyday chore of survival. This fact, coupled together with the lack of educational opportunities available to the child worker, leaves little room for an alternate reality to form. Thus their lives are only viewed through the clouded images of the past or dark realities of the current day. Their future, in their eyes, is nothing more than a continuation of the hopeless present.

However, a closer examination of the restavec's reality may illustrate a supreme irony in the child's life. Due to the extreme poverty, a parent may believe that sending their child into the restavec's existence is in fact a liberating choice. The parent may believe, rightly or wrongly, that it is better to be a literal slave in the "rich man's house" than to be a child in their own impoverished dwelling. For even slight exposure to some level of economic prosperity may be more than the parent can offer the child. Hence, in reality, a parent may seek to "expand" the child's horizons by temporarily "limiting" them.

I hope my daughter is alive. I hated to give her up. I just have nothing to offer her. My memory fades, but I think she is going to be eleven. I know she will have to work so very hard. But she will at least live in a home with running water. I just pray to the Gods that she is not taken advantage of. She is so young . . . but she is smart and tough. At least she now has a chance. Maybe someone will have favour on her and send her to school a little each day or week. My heart aches . . . I feel so guilty but this will help the others eat. In the future, I am sure that I will be glad to have made my decision. I miss her so much. I wish she was back home.

Legal instruments in child labor

International laws protecting child labourers have been in force for many years. The current volume of law, especially with the Convention On the Rights of the Child being ratified by all but two countries, does appear adequate to challenge legally all but the most obscure forms of domestic labour. Thus, with the near unanimous consent of the international

community to abide by the Convention, the following discussion will primarily focus on the utilization of this process to combat the restavec's tragic circumstance. Essentially, language has been created, through Article 6.2 which states in part: "No one shall be required to perform forced or compulsory labour . . .", that leaves very little room for the allowance of servitude by the minority child. In fact, for the first time, pro-active duties are placed upon member countries to ensure the rights of the child.

In particular, the "restavec" tragedy could, arguably, be violating the convention. Technically, Haiti is in violation of the Convention for having failed to submit their State Party's report that was due in June 1997 and still has not been offered for inspection. Haiti's inability or unwillingness to comply and submit the report closes an avenue through which the international community could examine the condition of Haiti's "restavecs" and offer light to this dark situation. Furthermore with an eye toward Haiti's future rebuttal, the absence of a state party report denies the examination of any evidence that Haiti could raise under the convention in order to justify the "restavec" crisis. Hence, they have no formal opportunity for rebuttal.

The existence of the "restavec" situation could be examined against several provisions of the Convention. A Haitian hypothetical state party report would have to answer several potential violations regarding the "restavec" situation. Specifically, article 32 requires member States to provide for minimum ages for admission to employment, regulation of hours and conditions, and sanctions to ensure proper enforcement. Furthermore, the Haitian Constitution article 35-6 generally mentions child labour and there is legislation which states that 12-15 is the minimum age for work. Thus, in the abstract but possibly not in reality, Haiti has at least touched upon its responsibilities to set a minimum age limit for workers. However, there is at least one loophole around labour regulations. Like most loopholes, Haitian families simply avoids conflicts with existing law by kicking "restavecs" out of their home before the attainment of 15 years of age which is when children are legally required to be paid.

In conjunction with the proceeding sections of the Convention, Article 28's mandatory educational requirements could also be used to limit child labour. Logically, if a child is in school, then she will not have time to perform as a labourer. However, Haiti only requires compulsory education for children 6-12 years of age. In addition, Haiti's Constitution only generally discusses the right to an education with no penalties for non-compliance. With the lack of any free public school system in Haiti as evidenced by average class sizes of 80 students per untrained teacher, the domestic laws offer nothing more than window dressing for the vacant stores of any educational processes

(McCoy 1997). Therefore, for the hidden or lost “restavec”, education is at best a distant dream and at worst, a hopeless thought.

Finally, under the Convention on the Rights of the Child, articles 2,3,6, and 12 perform a “catch-all” function for discussing child labour. The discrimination clause (article 2) could be invoked in regard to the prevailing majority of girls that comprise the “restavec” group. The best interest of the child clause (article 3) would seem to clearly be violated, as there is little or no evidence that a childhood of domestic service is proper. At best, a restavec’s existence may be the lesser of two evils in comparison to poverty. However, it is unlikely that even the optimum of two bad choices is remotely in the child’s best interest. Also, article 6 recognizes that a child should be allowed to develop to the maximum extent possible. As mentioned earlier, psychologically, mentally, socially, and physically, a restavec’s existence is hampered by the domestic situation. Finally, article 12 lends credence to the fact that children should be allowed to express their views. It is highly doubtful that any “restavec” would express any preference for a life of servitude.

The Haitian State Party report, if and when it is submitted, will be an important element in enforcing the rights of the “restavec”. The current State Report situation is a good example of the problems that the enforcement of International Law poses to interested bodies. It is this enforcement of the international rights of the child that present the greatest quandary for the international community where there are no judgements and no concrete penal sentences (Fox 1997). The laws are available, via treaty, to ensure the rights of children. However, the enforcement mechanisms are not set forth in consistent strength. Rather, their legal weight seems to be particular to the specific situation in which they are utilized.

In fact, the primary aim of international law, as pertaining to children’s rights, is indirectly to force countries to comply with the applicable legal provisions. These “enforcement by shame” measures are indirect and do not contain any real “legal bite”. Although reputation and domestic harmony can be powerful motivators, a country such as Haiti has little to lose in terms of international reputation and domestic harmony seems to be nothing more than empty rhetorical promise. Logically, and somewhat obviously, a developed country (for example, England) has a greater stake in the negative consequences of a lessened international standing.

For example, a blow to a country’s international reputation may cause economic repercussions in the area of trade. However, Haiti’s export business is almost nonexistent. Therefore any threats by offended and concerned nations (that is, nations that are concerned about international violations pertaining to children) to restrict trade would appear to be “hollow” (Bol

1998). Other countries cannot take away what does not exist in the first place. Therefore, the effectiveness of international laws appears to vary according to the timing and the remedy of any particular petition. With that said, the backdrop through which any particular country operates must be understood in light of which international forum would be most effective in the dismantling of forced child labour.

Currently, at least in the case of abolishing the "restavec" culture, international law may be ineffective without a broad-based remedy that would include the Haitian government's pro-active cooperation. An appropriate broad-based remedy would necessarily require a whole range of approaches. In reference to the "restavec" situation, the enforcement of health and safety regulations and the establishment of underage unions would be two avenues utilised to alleviate the problem. However, the plight of the "restavec" is not a priority and there is little concern for the situation in the government with very little government resources being allocated to alleviate the problem. Meanwhile, children are still physically and emotionally dying in this tragic process and at this point, the question must be raised: what then does the concerned international community do?

From the earlier discussion, the eradication of poverty would be a giant step in eliminating domestic service. However, in Haiti, efforts to enlarge Haiti's economy have not been successful despite the World Bank's \$390 million dollar disbursement for 1995–1999 (Maldari 1997). There is still a shortage of the most basic resources needed for any economic growth. Therefore other means, in addition to the abolishing of poverty and the continuing attempt to enforce international laws, must be examined in which to alleviate the condition of Haiti's forgotten children.

The International Labour Organization has advocated several processes to be used to withdraw a child from a working situation. Initially, they seek to facilitate the involvement of all parties connected with the process. Mainly, children, parents, communities, employer, adult workers, NGO's, and community activists would come together to initiate some type of direct action through: institutional development, awareness-raising with the aim of prevention, and withdrawal and rehabilitation.

In the area of institutional development, child centres could be established where domestic workers receive health care, educational tutoring, food, and old-fashioned care. For example, the Maurice Sixto Shelter offers assistance to Haiti's child domestics including some 200 "restavec" classes in literacy, handcrafts, and self-reliance. Also, the Foundation for Worldwide Mercy and Sharing has multiple outreaches including an abandoned Children's Unit. In addition to private, temporary facilities, orphanages could

be financially supported which would furnish an option for parentless and homeless children.⁵

Awareness-raising, with an objective to prevent future domestic servants, could be accomplished by regional and international conferences specifically targeting child domestics such as a regional conference entitled “The Asian Consultation On Child Domestic Workers”, which was held in late 1997. Also, in an effort to increase awareness on an international level, the UN Working Group On Contemporary Forms Of Slavery put “child domestic workers” on its 1998 session. In Haiti itself, awareness could bring about assistance from the citizen group that is causing the problem, mainly the wealthy citizenship.

Finally, withdrawal of Haiti’s “restavecs” can be accomplished in several ways. In Brazil, fifty working girls were withdrawn from domestic service and then provided a subsidy for education. The Municipal Child Foundation Of Campos dos Goitacazes was able to convince employers’ to release the children for a pre-set number of hours a day to attend classes. An NGO in Pakistan, the Working Women Association, conducts informal classes with girls in hope of allowing them to develop a marketable skill. An interesting concept is being tried in Tanzania, where adult women domestics are being paired with child domestics in order to at least alleviate the latter’s loneliness. Also, the Tanzanian government is specifically targeting wealthy city homeowners with an education campaign in order to lessen domestic recruitment drives from the rural areas. Finally, in Toronto residents are supporting individual “restavecs” in the form of private school vouchers and specific family subsidies.

Conclusion

Pseudo public and private efforts do not have the wide-ranging effects that are needed to completely eliminate the “restavec” situation but with these efforts, it is possible to affect little “pockets of change” in the lives of the domestic worker population. These attempts can offer some relief. Nonetheless, they alone cannot provide a cure for the “restavec” disease – a disease that exists against the backdrop of Haiti’s unlimited economic need, sordid history, distinct culture, tragic past, and history of unfulfilled hope.

Despite the odds, there has been some progress made in the fight to save generations of Haitian children. Advancements have been made and efforts are taking place within Haiti. In addition, added international attention, via

⁵ The author’s experience in Haiti centred on work at the Christian Haitian Outreach, Which provided a home and school for a multitude of, displaced children.

treaty enforcement and media attention, could play a part in strengthening the struggle to end this silent form of child labour. The international community should strive to monetary support current projects in Haiti, implement ideas that have worked elsewhere, enforce current international laws, and continue to build awareness of the problem both in and out of Haiti. Throughout any intervention strategy, Haiti's tragic past and complex social system have to be examined before utilizing the array of solutions that are open to private and public groups. After all, a solution that does not work, often simply builds the problem.

As a final note, it may be important to bear in mind that each child, each "restavec", has value and that even a minute amount of progress is still progress. Therefore, the international community must continue the fight to save the "restavec" even if the fight occurs one child at a time. Ultimately, with each child that is saved, a measure of hope is given to all the children and with each mustard seed of hope life springs forth.

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