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traditional context or through recognised courses of study of traditional medicine. In the Draft TCEs Articles, references are made to "national law" and "customary practices".

- Michael J. Finger, "Introduction and Overview", in Poor People's Knowledge: Promoting Intellectual Property in Developing Countries, ed. J. Michael Finger and Philip Schuler (Washington, DC: World Bank, 2004), 31–32.
- 79. For a detailed treatment of this area, see Sharon Le Gall, "Reclaiming Collective Knowledge: Can a Case Be Made for the Protection of the Steel Pan of Trinidad and Tobago" (PhD diss., University of Cambridge, 2009).
- See Draft TK Articles, WIPO/GRTKF/IC/21/4 (n 10), Article 1.2(e), Option 1, Annex, 6.
- See Draft TK Articles, WIPO/GRTKF/IC/21/4 (n 10) Article 1.2(f), Option 1, Annex, 6.
- Jessica Litman, "The Public Domain", Emory Law Journal 39, no. 4 (1990): 975.
 Corresponding notions of the public domain include the 'intellectual commons' and the 'public sphere'.
- William van Caenegem, "The Public Domain: Scientia Nullius", European Intellectual Property Review 24, no. 6 (2002): 324–30.
- 84. Ibid., 330.
- 85. Ibid., 326.
- 86. Ibid., 330.
- 87. See "Statement by the Tulalip Tribes of Washington on Folklore, Indigenous Knowledge, and the Public Domain", IGC Fifth Session, submitted to the WIPO Secretariat, Geneva, 5–17 July 2003, http://www.wipo.int/tk/en/igc/ngo/ngopapers .html (accessed 4 March 2012).
- 88. Ibid., 3.
- 89. Van Caenegem, "The Public Domain", 324.

Challenges to Solidarity across Multiple Borders

Haiti's Free Trade Zone

MARK SCHULLER

Introduction

CREATED IN 2003 WITH A USS23 MILLION World Bank loan to a private Dominican company, Haiti's Free Trade Zone (FTZ) promised an economically depressed region thousands of well-paying jobs and 'development' to the poor border town of Ouanaminthe. However, the realities were more complex; many peasants lost their land, and factory owners and unions had a long struggle. Haitian workers were ultimately granted rights to unionise, and won a contract signed in January 2006. However, workers' rights remained challenged, in part because of deep socio-racial and political-economic divisions across the Massacre River that forms the border.

David Harvey argued that global capitalism entails the strategic use of space in a process of uneven accumulation of capital.¹ Nowhere is this phenomenon of what he called 'uneven geographical development' more evident than in border areas. Heavily policed and militarised, where national identity is paramount to one's access to mobility and organisation, national borders play an integral role within the development of *maquiladoras*, a general term arising from subcontracted, mostly-textile factories just south of the US-Mexico border.² The FTZ, created on the northern district of the Haiti-Dominican border, provides a rich case for examining the multiple sources of inequality highlighted and exacerbated by its location on the border. Following a brief recap of the events, this article examines the cultural, national, linguistic, and identity differences impeding solidarity. Actors across a range of differences inherited a legacy of mistrust that impeded open communication and collaboration, prolonging the crisis and its resolution. Communication was thus

based on prejudice and rumour, preventing the collection of facts that would verify claims. Solidarity, both South-South and North-South, is therefore inherently fragile, as it presupposes acknowledged identities, respect for differences in place, and open communication,3 the very conditions that are most difficult to obtain across cultural, national and geopolitical divisions. These prejudices and political identities prevented particular groups within the North American solidarity community from lending crucial support. This article analyses lessons not learned about solidarity, arguing against what I call 'leftwing imperialism', and distils lessons from this experience.

Background: The building of the FTZ

As scholars have noted, the global economy relegates certain provinces, nation-states, or even regions to marginal positions whereby their 'comparative advantage' is a combination of extremely low wages and proximity to large consumer markets.4 This model of development is firmly rooted in the neoliberal ideology of free-market capitalism, free trade and specialisation, justified by the need for foreign exchange in the global financial market triggered by an uneven exchange and structural debt. Portrayed as a 'win-win' situation whereby transnational corporations and Northern consumers benefit with cheaply made goods and Southern countries gain desperately needed jobs, the export-processing subcontracting model has a long history in the Caribbean, and particularly Haiti (Operation Bootstrap). In the 1970s, dictator-Jean-Claude Duvalier, whose 'economic revolution' would turn Haiti into the 'Taiwan of the Caribbean', approved a United States Agency for International Development (USAID) and World Bank plan to create an export-processing zone near Haiti's capital, Port-au-Prince. At its peak, the industrial park built next to Haiti's new international airport employed an estimated seventy to eight thousand factory workers.5 In recent years, certainly following the earthquake, this strategy has increasingly been promoted as a cornerstone to Haiti's economic reconstruction. The Interim Haiti Reconstruction Committee, co-chaired by the United Nations' special envoy for Haiti, former president Bill Clinton, prioritised an industrial park in Caracol, minutes away from the Ouanaminthe site, which was opened in October 2012.

Despite this recent promotion, this sector has always been volatile, fluctu-

ating with the international market. In 1982, US president Ronald Reagan created the Caribbean Basin Initiative (CBI) to capitalise on the region's comparative advantage of low wages and proximity to the USA - both to satisfy America's very large consumer market and to support US cotton interests. Similar to the later legislation called the Haiti Hemispheric Opportunity Partnership Encouragement Act (HOPE) that was passed in December 2006, the CBI mandated trade concessions to US businesses such as lower tariffs. 6 Jobs in the sector gradually declined, and at times quite rapidly, such as after the embargo by the Organisation of American States and later United Nations against the de-facto government following the 1991 coup d'état.7 In 2002, only an estimated twenty thousand jobs in the export-processing sector remained.

CHALLENGES TO SOLIDARITY ACROSS MULTIPLE BORDERS

In 2002, Haiti's minimum wage was 36 goud (gourdes) per day, around US\$1.25 at the time. Across the Massacre River, the Dominican minimum wage was valued at US\$13.8 There was an additional reason for the Dominican interest. The International Finance Corporation (IFC, the private-sector World Bank branch) outlined the priority of stabilising the Dominican garment sector and, according to the IFC website, "ensuring the long-term growth" of the region's largest textile manufacturer, Grupo M. According to Grupo M, the Dominican textile industry was operating at full capacity and had reached its quota under US trade regulations. The 500,000 square-metre site in Ouanaminthe located on a portion of the Haiti-Dominican border north of town, as the Massacre River dips into Haitian territory, was an opportune location for the company's continued growth. Agreeing with this assessment, the IFC lent Grupo M twenty-three million dollars for the project, with three million earmarked for local development.

The Haitian government of former leftist priest Jean-Bertrand Aristide, initially elected in 2000 by a landslide margin on a platform to end neoliberalism and other legacies of the Duvalierist state, endorsed the project to fulfil campaign promises to create new jobs in Haiti. At the time, the Inter-American Development Bank had suspended US\$535 million in loans pending resolution of a political standoff that began in 1999 when predecessor René Préval ultimately disbanded Parliament following years of bitter rivalry. Aid agencies including USAID had stopped funding the elected governments of Haiti following the 1995 Dole Amendment soon after the Republican Party took control of Congress, instead funding USA-headquartered NGOs,

particularly since 2000. Most of Haiti's budget was financed externally – 90 percent in 1997.9 Both a result of and reinforcing this pressure, Haiti's economic and human development indicators remained low: a 60 percent unemployment rate, 80 percent of people living under two dollars per day, and an infant mortality rate of 125 per 1,000 live births as the project opened in 2003. Promising fifteen hundred direct-hire jobs initially, with the potential to expand operations to thirteen factories employing twenty thousand people, this project was embraced by the Aristide government for its potential for economic development. The Ouanaminthe FTZ broke ground in April 2002, the ceremony attended by Aristide and Dominican president Hipolito Meija, representatives from Levi's and Hanes (at the time owned by Sara Lee), the World Bank, and Grupo M.

Opposition to the project

The IFC approved an Environmental Review Summary in October 2003, shortly after the factory opened. Despite acknowledging two problems of "land acquisition and economic displacement" and "trans-boundary and influx migration issues", the IFC considered the project's negative impacts minimal. The agency acknowledged displacing ninety-five small-scale farmers from the fertile Maribaroux flood plain, fifty-six landowners and thirty-nine tenant farmers.10 The mitigation plan included finding comparable land for displaced peasants. However, only a few had apparently received such assistance by summer 2008. Part of the problem is that the Maribaroux region is one of only a few remaining tracts of fertile land in Haiti, which is 98 percent deforested. The northeast province, where Ouanaminthe is located, is particularly arid, especially following destructive cultivation of sisal to feed the region's only other direct foreign investment, the Dauphin Plantation, near Fort-Liberté. The IFC acknowledged that the project's high expectations in the community constituted a risk factor. The institution estimated Ouanaminthe's population at seventy thousand; in addition to twenty thousand direct hires the project was expected to generate another twenty thousand support jobs to service the working population. Ouanaminthe had grown very quickly, from an estimated fifteen to eighteen thousand before the 1991 embargo when the area became an important site for contraband trade." A shantytown was built within this



The Free Trade Zone factories took away peasants' fertile land.

time period, makeshift one-room dirt houses hastily constructed in close quarters to the factory outside of the city's infrastructure.

The project faced an active opposition even before the first line became operational in August 2003. Some opposed it because they considered it an insult to national sovereignty; others felt betrayed by Aristide whose support for the project contradicted his campaign promises; others focused on the issue of national agricultural development; many focused on the rights of the displaced peasants; while still others, mostly more established residents, were concerned about their social order being irrevocably upset.¹² Several protests were staged by an ad-hoc coalition, but they were unable to stop the project from going forward. These voices of discontent were to become much louder following myriad conflicts between the Dominican owners and Haitian workers.

Working conditions

Compared to several export-processing factories in Haiti, particularly in Portau-Prince, conditions in the FTZ are noticeably better. The two factories are more spacious, better ventilated, brighter, with newer machines and more amenities such as drinking fountains which, although not entirely potable, were at least treated by SNEP, the national water utility. A staffed health clinic

for workers' and their families' use was provided. Some workers began their testimonies with the Kreyòl proverb, *rayi chen, di dan l blan* (hate the dog, but say that its teeth are white – in other words, one can be critical but should give credit where it is due).

However, conflicts between management and workers began almost immediately upon the FTZ's opening. Three reports, two written in French and one in English, from different observer missions, documented in detail the specific history and allegations of worker abuse leading up to July 2004. I was involved in the English report.13 According to factory workers, conflicts with Grupo M's CODEVI¹⁴ began when workers who were told they would earn 250 goud per day (US\$7 at that time) working for quotas of 1,000 jeans per line per day had to spend four months in a training centre earning sub-minimum wages of 300 goud per week (the minimum wage was 70 goud per day at the time). Once their training period was over and they were considered fulltime workers, the quotas began at 1,500 jeans per day and increased to 2,000. Workers earned 432 goud per week, only slightly above minimum wage. On 25 February 2004, less than two weeks after the so-called rebels - heavily armed former Haitian military/paramilitary troops - had entered Haiti with at least the tacit cooperation of the Dominican army,15 several Dominican soldiers entered the FTZ, on Haitian soil. The following day, as SOKOWA (the local union)16 and CODEVI were in negotiation, CODEVI fired suspected SOKOWA member Ariel Jerome. On 1 March, one day after paramilitaries had succeeded in forcing Aristide out of the country, CODEVI fired thirtyfour suspected union members without cause. Again, Dominican troops entered the FTZ to enforce the measure. CODEVI only agreed to reinstate the fired workers on 13 April, when a representative of Levi's visited the FTZ and met with union and management. The following day the workers were sent to the training facility and given 'temporary' badges, earning trainee salaries.

Levi's met with CODEVI and Grupo M administration without workers on I June. Workers allege that CODEVI hid the finished product to give Levi's the impression that the workers who had been demanding formal recognition for their union SOKOWA and to be paid what they had been promised were just being lazy. On June 3 in response, SOKOWA held an emergency meeting and organised a thirty-minute work stoppage. CODEVI agreed to meet with only two of the twelve SOKOWA executive committee members. SOKOWA thus refused, issuing a warning to management and the local gov-

ernment that they would strike again on 7 June. The next day, 4 June, Dominican troops again entered the FTZ and assaulted two people, forcing pregnant woman Luna Elfraus to the ground and beating Phélicien Michel. As promised, workers went on strike on 7 June, except for fifteen supervisors. CODEVI retaliated with a lockout the following day. On 11 June, CODEVI fired 370 suspected union members without citing cause, violating Haiti's work code. This act also violated workers' rights to unionise as guaranteed in Haiti's constitution as well as by international labour standards, including the IFC loan agreement and Levi's code of conduct. The act triggered a prolonged transnational advocacy effort.

In addition to these allegations, all of which were well documented, workers allege another mistreatment. Twice, on 29 March and 19 April, clinic doctors vaccinated workers. Several workers testified that they were not given prior notification and were forced to accept the vaccinations. According to one worker, Eveline Jean-Baptiste (not a SOKOWA member),

[The Haitian human resources director] passed a message in the shop floor, saying that everyone should be vaccinated. He said that if people fell ill, and they didn't take the vaccine, Grupo M wouldn't be responsible. He made the announcement almost at the beginning of the workday, and immediately after the announcement, they began the vaccination . . . After we were done getting the shot, we gave them our badges, and then they wrote our names down. They didn't give any other information, advice, or anything before or after the shot. We were all expected to return to work.¹⁹

This testimony was identical to others independently given at the SOKOWA meeting, also contained in the Union des Médecins Haitiens (UMHA) report made public by Dr Germil Cherro, UMHA Deputy Secretary General, on 10 August. This alleged lack of prior notice and informed consent, and the at least implicit coercion, violated public health ethical standards and professional obligations. Dr Cherro outlined other concerns such as the failure to inform the Ministry of Health, the absence of prior communication and information, and irregularities in vaccination records.

This regimen, administered in the context of a World Bank–funded national vaccination campaign, and ostensibly to protect workers from tetanus – a typical concern for people working with needles – included liquid from two flacons, as Eveline recalls:

They didn't give us the vaccination in the clinic. It was inside the factory itself, between the shop floor and the office. They set up a couple of tables, with a series of syringes. They had two vials where they took the vaccine, one clear, like water, and one white, like milk. They first took from one of the tubes, and then from the other. They mixed the two like that, and then they gave us the shot. We didn't know what was in the test tubes. We didn't ask. I have heard several people tell me they were given a shot from the two vials. I haven't heard of anyone that said that they only received a shot with one of the liquids.²⁰

These details were corroborated by SOKOWA members and also reported by Dr Cherro in his public statement.

Several women who had received the shots reported irregularities with their menstrual cycle. We heard testimonies from workers who claimed that the effects of the vaccinations were strange and confusing to them, such as irregular bleeding for women and, for men, discomfort while urinating and/or swollen testicles. More than one worker reported to us that when they went to the public hospital to report these symptoms they were told by doctors there that the workers in the FTZ were undergoing a family planning regimen.²¹

The most serious allegation regarding the forced vaccination campaign was its impact on pregnant women. Eveline herself was eight months pregnant at the time of the second shot. She recalled:

Since I was pregnant, I asked if I could take the vaccine, and I was told yes, of course, it was safe to take the vaccine. Then a message was sent, everyone that was pregnant could take the vaccine . . . The second time, they didn't repeat the part about being pregnant. No one was given advice about the dosage for tetanus, from the doctor, medical personnel at the clinic, or public health officials . . . After I took the second shot, my feet became inflamed. I couldn't stand. I couldn't work. They wouldn't let me sit. I felt weak. I went to the state-run hospital, and the doctor gave me some medicine. After I got home, I had pain in my stomach. On Sunday, . . . I was feeling very sick, and I went back to the hospital. My blood pressure was 24/14. They gave me a bed and medicine. After that I fell asleep. The next morning, Monday, I was told that the child had died . . . I lost a lot of blood and the doctor did not think I would survive. I went home. 22

Eveline was not alone: three other women also miscarried following the second injection, all of whom were four months pregnant. While it might be



Eveline

possible that the poor state of Haiti's health care system is at least partially to blame for the miscarriages, there is precedent for compulsory family planning, even forced sterilisation, in donor-funded public health programmes in Haiti,²³ and in export-processing areas more generally.²⁴

Structuring inequality

These allegations, particularly that of forced family planning that resulted in four women's miscarriages, might seem too egregious to be believed, especially when considering that Grupo M had been praised in inter-

national industry publications for its exceptional social conscience. Indeed, common responses to the allegations were to ignore them, disbelieve them, or denounce the messengers. Social location and a long political history were important elements in these denial tropes, and indeed prevented my colleagues and I from collecting evidence to evaluate these allegations.

To make sense of these events it is necessary to understand the long-term historical, linguistic, and cultural divisions between the Dominican owners/managers and the Haitian workers. Assuming the best of intentions on the part of CODEVI, there are still linguistic barriers and a long-standing animosity between the two peoples, as noted by several scholars.²⁵ Depending on the location of the storyteller, different historical events emerge as important. Dominicans point to invasions by both slave insurrection leader Toussaint Louverture and counterrevolutionary mulatto soldier-president Jean-Claude Boyer.²⁶ Haitians remember the 1937 massacre of thousands of Haitian cane-cutters living and working in the Dominican Republic orchestrated by dictator Raphael Trujillo.²⁷ People of mixed race with lines of African descent often claim to be *indio*, "Indian" or indigenous, to distance themselves from stigmatised Haitians.²⁸ Even if the stories of Grupo M's beneficence are

true,²⁹ this longstanding hostility may account for differential treatment of black Haitian workers across the border or the mistrust from Haitian workers and their willingness to believe the worst about their Dominican owners.³⁰

This long history of hostility was fomented by the presence of Dominican troops on Haitian soil, interpreted as an affront to their sovereignty on the year of their bicentennial. In the context of the 1937 massacre and mistreatment of undocumented workers in the batey (sugar plantations),31 some Haitian workers and other Ouanaminthe residents focused more anger on the Dominican troops not authorised by the United Nations. "It's our country. It's our country. Why do they feel they can patrol our streets?" shouted a young man in July 2004 as our bus was pulled over and boarded by Dominican troops on the road to Okap (Cap-Haïtien) out of town. They seized a black man (presumably Haitian) at gunpoint and took him off the bus. "We don't have a country? We don't exist?" On the way to Okap several conversations about "racist" Dominicans circulated the bus. Several people brought up examples of mistreatment of a cousin, friend or neighbour, which circulated to those around them, all apparently receptive to such stories and willing to repeat them to people nearby who did not hear the original retelling. The fact that the FTZ is on the border plays a significant cultural role, not unlike the US-Mexico border, triggering and reproducing nationalist and racialised ideologies that shape people's actions. Unlike US/Mexico, the Haiti-Dominican border delineates a South-South boundary.

Organising effort

Since its inception SOKOWA has received technical assistance from a range of groups, including the local Catholic Church, particularly some foreign nuns, and the nationwide union Batay Ouvriye. In the height of the conflict, international groups joined the effort, such as the AFL-CIO32 affiliate Solidarity Center – recipient of funding from the National Endowment for Democracy – as well as non-affiliated unions such as the International Confederation of Free Trade Unions, No Sweat, Labour Start, and the Clean Clothes Campaign. The UK-based Haiti Support Group played a pivotal role in coordinating efforts and publicising the situation.

The struggle went on for several months. Despite efforts by SOKOWA,

Batay Ouvriye and their transnational solidarity partners, the interim government led by United Nations retiree Gérard Latortue failed to prosecute or enforce Haitian labour law. Workers theorised this was because Latortue was beholden to the international community, and his neoliberal political orientation was made clear early on. In his first month as interim prime minister, Latortue annulled Aristide's \$22 billion demand for restitution from France, severed diplomatic ties with CARICOM (the Caribbean community), hailed Aristide's armed opposition as "freedom fighters", and granted a three-year tax exemption for large importers, traditionally made up of a lighter-skinned elite, the same group that controls Haiti's foreign trade. The first signs of government regulation came only a year later, in July 2005, when Fòlibète judge Joseph Alfred Manigat ruled against the CODEVI security chief and Dominican army members for beating up Phélicien Michel and Luna Elfraus, awarding the victims one million goud in damages (about US\$25,000).

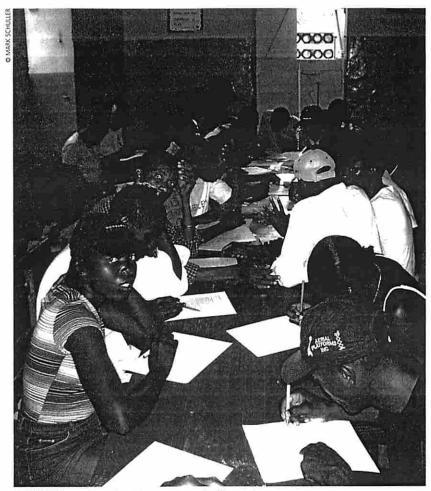
The transnational advocacy effort employed multiple tactics, including direct action, lobbying of home governments and the World Bank, and letter-writing to Levi's, deliberately pulling weight that Haitian actors could not, deploying power as potential/actual consumers and as citizens of Northern countries.33 No Sweat and Haiti Support Group staged several protests, including at Levi's flagship store in London. The San Francisco Labor Council organised a protest at Levi's San Francisco headquarters in August 2004. Despite the fact that the Bay Area is home to the Haiti Action Committee, one of the most vocal Haiti solidarity groups in the USA at the time, they did not endorse the action. Only labour and global justice groups joined, including the San Francisco Labour Council (AFL-CIO), Global Exchange, United Students Against Sweatshops, the California Coalition for Fair Trade and Human Rights and/or Sweatshop Watch. Haiti Action Committee's absence was particularly visible, given that a demand at this 'emergency bullhorn action' was one they had added - the restoration of the democratically elected government of Aristide - a demand that some Batay Ouvriye organisers denounced as imperialistic given the latter's vehement opposition to Aristide. This bullhorn action was the only direct action in the USA of which I am aware. By contrast, there were over a dozen protests in Europe, mostly in the UK. Unions including the Battersea and Wandsworth Trades Union Council solicited donations for a strike workers' fund to help fired workers feed their families while continuing the struggle.

The relative non-participation of US-based Haiti solidarity activists notwithstanding, the transnational advocacy network made some important gains on behalf of SOKOWA workers. On 5 February 2005, CODEVI agreed to negotiate with SOKOWA, finally offering the union official recognition, and agreed to reinstate 151 workers - everyone who had stated a desire to be re-hired - that they had fired the previous June. In mediation, the two parties began negotiations for a contract. Both sides in the conflict widely publicised this agreement. As mentioned above, the interim government - through the courts - enforced FTZ workers' Haitian legal protections through a handful of declarations beginning in July 2005. On 13 December 2005, the contract was finally agreed to and signed. At the centre of the contract was an increase from 432 goud to 900 goud (\$21.17) for a weekly salary, with an agreement to raise the salary over 45 percent over a period of three years to account for inflation, as specified in the Haitian Labour Code.34 According to a Batay Ouvriye press release, "Although the question of wages was the crux of the negotiations, many other issues relating to union recognition - labour rights; working conditions; health, hygiene and security; pregnancy and sexual harassment - were also settled."35

According to a member of the SOKOWA executive committee,

From the way things were, truly we have succeeded because for a long time, you couldn't even talk about unions in the FTZ. But now we are stable inside the FTZ, and we exercise some power in the FTZ. That is something. We enjoy that privilege because of national and international organisations, helping us bring workers' demands to light. So we see all of this as a success . . .[However] as of today, nothing has been done in the convention; the only thing is they changed our salaries. It used to be 432 goud and now they give us 518 goud.³⁶

Another was cautiously optimistic: "We believe that with your support and with the solidarity with everyone who wants to see real change, we believe that even if we don't reach 100 percent of the solution, we will achieve 75 percent." By the end of 2006, if they had met increased quotas, workers earned the 900 goud as stipulated in their contract. There were still issues of concern: injuries on the job, different drinking water from owners, electrical fires, and the fact that SOKOWA leadership are treated as unpaid human resources personnel to help resolve individual personnel matters while still being accountable for meeting their quota. Some workers put in ten hours or



SOKOWA members planning strategy and telling their story

longer per day to meet higher quotas and receive higher salaries. The issue of birth control remained unaddressed. But as of July 2008, when I last visited, most workers were satisfied, having met most of their demands; consequently, active participation in the union has trickled off, and there are fewer membership meetings. In the meantime, Batay Ouvriye has engaged in four other local union struggles (two of which were resolved in workers' favour, according to its website and email releases), forged alliances with Brazilian labour groups

in an effort to end the United Nations occupation, and received partial success in their campaign for an increase in Haiti's minimum wage, described below.

Turning a blind eye

During the height of the campaign, upon returning to Port-au-Prince from the observer mission, I began contacting groups working in Haiti in an effort to corroborate the most egregious of allegations of forced birth control. The five members of the investigation team knew that this was too serious to leave uninvestigated, but we could only report it as allegation. The Haitian doctors and the inter-ministerial team had discussed the matter in detail with local public health authorities, but as Haitian actors their voices carried far less weight than our foreign team. Accounting for the difference could be that our report was written in English or that we were foreign citizens. At the time it was two months following the second alleged dosage, so expedience was essential. The transnational advocacy effort in Europe demanded that the interim Haitian government fulfil its responsibility to investigate these allegations. For reasons stated above, the de-facto regime refused, one of many (in)actions in favour of foreign interests. Of the three international NGOs connected to a solidarity and/or global justice movement whom I contacted that work on health and human rights in Haiti, none agreed to help. I was unable to ascertain whether the refusal was based on technical or political grounds. Much later I asked a physician who said that the matter would be relatively simple with a few blood samples, an examination, and a good laboratory technician. Since we knew what we were looking for - evidence of Depo-Provera or some other injectable form of birth control - it should have been detectable. Workers had implored us to find evidence, so finding willing subjects would not have been a problem. Why would solidarity and human rights-oriented NGOs refuse to investigate this allegation? One possible, partial explanation may be that as a graduate student at the time, I did not have enough clout.38

Batay Ouvriye was one of three leftist groups in Haiti that were vocal critics of Aristide, singled out by Aristide supporters for their role in his forced removal. There was a bitter war of words over the Internet and blogs over the issue. Batay Ouvriye – who until then did not publish statements in people's individual names, a remnant of its clandestine history under military dicta-

torships - was vocal and outspoken in its opposition following Aristide's use of force to break up union demonstrations in Port-au-Prince factories and a Guacimal orange plantation. A particular quote during the lead-up to Aristide's ouster forwarded by Haiti Support Group was that Aristide and the bourgeois opposition were "two rotten legs of the same torn pair of pants". Pro-Aristide solidarity groups were given further ammunition in their opposition to Batay Ouvriye following the publication of the archival research of MA student and pro-Aristide blogger Jeb Sprague that began in summer 2005. Sprague published that Batay Ouvriye had received funds from Solidarity Center, which received funding from the National Endowment for Democracy. Transposing William Robinson's analysis of the 1991 coup39 to the events of 29 February 2004, Sprague argued that this funding was part of a deliberate US strategy to fund a leftist opposition to Aristide that would have legitimacy that the more powerful, USAID-funded, bourgeois-led Group of 184 lacked.40 A person claiming to be a Batay Ouvriye representative in New York said that he had no knowledge of US funding, and the war of words escalated. It was never a secret to anyone in the area that Solidarity Center was involved; the same organiser worked with unions on both sides of the border. Batay Ouvriye's vitriolic rhetoric and its anarcho-syndicalist political tendencies did not win it many allies. Author Peter Hallward took a similar critical line, citing Haïri Progrès's Georges Honorat, stating a position that many in Haiti share: "You cannot possibly take money from USAID and still claim to be working for the Haitian people."41 USAID is the international development branch of the US State Department, implementing US foreign policy. The NGO that refused its technical assistance in investigating workers' claims of forced family planning is a recipient of USAID funding.

Since the earthquake

The FTZ as a model, and particularly the Dominican owners as 'success stories', gained currency following the 2008 hurricane season that exacerbated the food crisis (*lavi che*) earlier that year. In January 2009, writing from afar, and using very similar language to his earlier prescriptions, British economist Paul Collier highlighted the export-processing zones as a main pillar of Haiti's recovery and development.⁴² Collier also hailed former US president Bill

Clinton as United Nations Special Envoy. Because of the 2008 food crisis, the campaign to raise Haiti's minimum wage in which Batay Ouvriye played a visible part reached a crescendo in the summer of 2009, when both houses of Haiti's parliament unanimously voted to increase the minimum wage from 70 to 200 goud (US\$1.75 to \$5) per day. Clinton spoke out against this increase while promoting the growth of Haiti's export-processing zone. United Nations troops shot at demonstrations in support of the increase. Faced with pressure from Clinton and the United Nations troops, Haitian president René Préval vetoed the measure, proposing instead 125 goud (US\$3.25).

This issue of the *lavi chè* and minimum wage, and the similar response of the United Nations troops to the funeral of Aristide's heir apparent, Gérard Jean-Juste, marked the beginnings of rapprochement of progressive groups within Haiti that were bitterly divided over Aristide. Groups who had been opponents had begun collaborating on specific issues – if not always marching together. The January 2010 earthquake united these groups, including Batay Ouvriye, in citizen mobilisations for justice for Haiti's displaced. Solidarity groups within the USA had not noticed that groups in Haiti had already put away their political differences. Only much later, after the earthquake, did such groups in the USA timidly begin to mend fences, working through a tenuous coalition of progressive solidarity groups. Across the Atlantic, the Haiti solidarity movement and organisations like Haiti Support Group had been able to work across the Aristide divide from the beginning. What accounts for this difference between Europe and the USA, or for that matter solidarity activism regarding Hispanic Latin America?

Lessons (not) learned about solidarity

This raises critical reflections about solidarity. North-South solidarity is inherently an unequal relationship,43 with Southern communities having less power and their voices less weight than their Northern solidarity 'partners'.44 Our team of foreigners had flexed our privilege both as foreign citizens and as English speakers.45 The most egregious allegations were already investigated by a team of Haitian doctors and an inter-ministerial team of government officials, but failed to trigger an international outcry. As a corrective to the social distance separating the Northern and Southern 'partners', Batay Ouvriye had

also cultivated South-South solidarity, with Dominican unions and Dominican workers for factories also owned by Grupo M, facilitated by the Solidarity Center. After the earthquake Dominican citizens surprised some with their immediate response and steady solidarity when other countries were still sorting out their logistics. This revealed the stereotype of anti-Haitian sentiment among Dominican citizenry to be exaggerated. But this solidarity has its limits – as shown particularly after the cholera outbreak in late October 2010. The Dominican authorities shut down the border on Ouanaminthe, completely closing the bi-national market on the Dominican side of the border, where many Haitian market women bought imported goods. Batay Ouvriye also established linkages with Brazil, the country that led the United Nations military unit.

Despite the greater power in the hands of Northern partners, most USAbased solidarity organisations distanced themselves from the effort. Meanwhile, European solidarity partners not only pursued the issue with Levi's and their governments, they also raised funds to support the workers who had been laid off to continue their organising. A partial explanation for these -differences might be the political spheres in the respective home countries. The USA has a binary, winner-take-all system wherein progressives are vilified for supporting third-party alternatives, captured by the phrase "a vote for Nader is a vote for Bush". US solidarity partners might be unwittingly exporting this binary frame that only focuses on the USA and an essentialised Haiti portrayed as victim. One has to be pro-Aristide if one is against US imperialism, and if one is critical of Aristide they must be pro-USA. However, a tripartite analysis is required to understand Haiti's political situation, one that tracks on the international community, Haiti's government and the Haitian people.46 As Haitian anthropologist Michel-Rolph Trouillot and others have argued, it might simply be a case of Haitian exceptionalism.⁴⁷ Particularly comparing Haiti solidarity with that of other countries in Latin America, language might also be an issue; Kreyòl has far fewer speakers than Spanish. Thus, Haiti has fewer mediators, or agents representing the country and its people.48

Whatever the reasons for their non-involvement, the US solidarity movement's refusal to support the effort had definite consequences. In his book, Peter Hallward, writing at a distance, argued, "The most decisive political question did not concern the evils of neo-liberalism or the urgency of human rights." 49 He also dismissed Aristide critics' work challenging neoliberalism as

"inconsequential".50 In fact, the significance of SOKOWA's struggle was immediate and involved hundreds of workers and their families - and, if the allegations were true, was literally a matter of life and death. Additionally, the struggle's significance was not only limited to the thousand workers, the Ouanaminthe/Dajabon border region or even Haiti. As Harvey reminds us, global capitalism requires spaces in its process of capital accumulation.51 Importantly, it works on precedent as much as - if not more than - in official decrees such as international labour or human rights standards. The CBI ostensibly guarantees workers' rights to unionise, as does the IFC and Levi's. As this article demonstrates, these de jure protections are only enforced if an organised effort applies pressure. Thus, in addition to challenging neoliberal globalisation at international meetings in Seattle, Genoa, or Cancun, people who believe in an alternative solidarity-based transnationalism and global justice that respects workers' rights, self-determination, human rights and North-South parity should also fight abuses of global capitalism in the spaces where it advances: in the trenches.52 The border between Haiti and the Dominican Republic was, not surprisingly, the stage for this conflict over the rights of workers and capital. The social distance between the owners and workers, the reification of national inequalities, and the militarisation of the FTZ are all explicit functions of the border.

There is also the matter of the workers themselves. I collaborated with Batay Ouvriye on this struggle - perhaps implicitly endorsing their political position - because I heard allegations of abuses of Haitian workers at the hands of a foreign company funded in part by my tax dollars. When I heard the workers' testimonies I put aside my concern about the political ramifications of working with known Aristide critics and came to understand that it was a duty to put aside such partisan differences and focus on the workers and their rights. This experience has caused me to reflect upon the meanings within solidarity itself, that I have a national identity and therefore a positionality53 that makes some activities appropriate and even necessary: without Northern pressure, particularly consumer pressure on Levi's and citizen pressure on the World Bank, injustices discussed in this article would have been tacitly approved by the world system. But some positions are not appropriate. To let partisan struggles - within a foreign country at that - prevent solidarity action is not only inappropriate, it is imperialistic. While not being a typical imperialism (versus foreign governments' strategic use of philanthropy to reward constituents that benefit particular national interests), progressives can impose their own political identity and become political actors in Southern settings. In this case, groups with whom I am collaborating in solidarity efforts such as the Jubilee campaign to cancel Haiti's debt saw no problem turning their back on workers such as Phèlicien and Eveline and abrogating their responsibility and missions to defend Haiti's poor majority because of their political identity. This is what I call 'left-wing imperialism'. In this particular case, without North American support, workers' rights were partially advanced, establishing a transnational precedent. But will solidarity activists learn this lesson in time for the next global struggle? Perhaps the most significant is folk wisdom encapsulated in Haiti's proverb: Rayi chen, di dan l blan.

NOTES

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- 3. Manisha Desai, "Transnational Solidarity: Women's Agency, Structural Adjustment, and Globalisation", in Women's Activism and Globalisation: Linking Local Struggles and International Politics, ed. Nancy A. Naples and Manisha Desai (London: Routledge, 2002), 15–33; Joseph M. Schwartz, "From Domestic to Global Solidarity: The Dialectic of the Particular and Universal in the Building of Social Solidarity", Journal of Social Philosophy 38, no. 1 (2007): 131–47.
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- 8. C.F. James, "Haitian Free Trade Zone: Artistide's 'Different' Capitalism is the Same Old Story", *Dollars and Sense* (November/December 2002): 22.
- Alice Morton, Haiti NGO Sector Study (Washington, DC: World Bank, 1997), vi.
 The figure was 65 percent a decade later see Edmund Mulet, "Speech at the Center for International and Strategic Studies", in A Roundtable with Ambassador Edmund Mulet (Washington, DC, 2007), csis.org/files/media/csis/events/070131_haiti_transcript.pdf.
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- III. Marion Traub-Werner, "Globalisation, Free Trade, and the Haitian-Dominican Border", unpublished paper presented at Latin American Studies Association conference, Montréal, 5–8 September 2007, 1–2, subsequently revised as "Coloniality and the Contours of Global Production in the Dominican Republic and Haiti", Antipode 43, no. 5 (2011): 1573–97.
- 12. Ibid.; James, "Haitian Free Trade Zone".
- 13. One of the French reports was written by l'Union des Médecins Haïtiens (UMHA), a group of private doctors, and the other by an inter-ministerial team within the Haitian government. The English report was drafted anonymously by a delegation of five foreigners, including myself. All of the missions between 17 June and 18 July 2004 visited Ouanaminthe and attempted to access Grupo M staff, records, and factories. For the English report, two people wrote accounts following a meeting of over twenty members of SOKOWA, and we corroborated information with one another, as well as with the two other published reports, and attempted to do so with other available sources of information. When we could not independently verify an allegation, we usually deleted it. If not, we specifically noted it as an allegation we could not verify. Since we could not speak with Grupo M, subsidiary CODEVI, or access records, despite all our attempts, we all agreed that we should not author the piece since it was only workers' stories and allegations. As a team, we spoke with twenty-seven union members at a public meeting, three local organisers, one representative of the Solidarity Center, two non-unionised workers, and one worker in

private whose testimony we recorded. UMHA had access to CODEVI's medical records, and both they and the inter-ministerial team consulted with local public health officials, including the hospital director. I have since returned to the FTZ three times, once going into the factory offices and just outside the factory floor. I recorded interviews with nine SOKOWA members and consulted with a representative of Batay Ouvriye, the nationwide union that offered SOKOWA technical support.

- 14. CODEVI is a division of Grupo M.
- Ruben Dario Garcia, "6,000+ US Troops in the Dominican Republic: Non-Stop Imperialist Intervention in the Caribbean", Turning the Tide 16, no. 1 (2003), http://antiracist.org/.
- SOKOWA is a locally organised union, founded immediately after the FTZ opened in August 2003. It is an 'open shop' union; FTZ workers are not required to become SOKOWA members.
- 17. See sections 42 and 43 of the work code.
- 18. See articles 235-53, title 4, law no. 6 of the constitution.
- Eveline Jean-Baptiste, interview by author, 17 July 2004. Direct quotations are from taped interviews that I transcribed and translated into English.
- 20. Ibid.
- One worker told us that she did not want to get vaccinated but her supervisor forced her to both times. She stated that before the vaccinations she regularly menstruated in the middle of each month. On 15 May she began bleeding and it continued for twenty-two days. She avoided going to the FTZ clinic, going instead to the public hospital. She told us that when the doctor later examined her, he asked her if she worked in the FTZ. She replied that she did, and the doctor told her that the workers in the FTZ were undergoing a family planning regimen. The doctor told her this shortly after a visit from the UMHA mission. Another young woman was told the same thing when she went to see public hospital doctors for menstrual problems. There were at least two women present at the SOKOWA meeting we attended whose periods stopped for two months following the second shot on 19 April. A man reported that his wife always had normal periods each month. Subsequent to the second shot, she had two periods each month accompanied by acute stomach pain. Before the injections his wife breastfed her twin babies, but since then she had virtually no milk. Some men also complained of effects following the injections such as discomfort while urinating and/or swollen testicles. One man reported a serious fever and severe problems with his vision after the second vaccination.
- Jean-Baptiste, interview.
- M. Catherine Maternowska, Reproducing Inequities: Poverty and the Politics of Population in Haiti (New Brunswick, NJ: Rutgers University Press, 2006).
- 24. In 2012, for example, there was a movement for paying reparations to victims of

forced sterilisation in North Carolina. Several examples of the practice in maquiladoras have been discussed by scholars – see Peter R. Beckman and Francine D'Amico, Women, Gender, and World Politics: Perspectives, Policies, and Prospects (Westport, CT: Greenwood Press, 1994); Piya Chatterjee, "Hungering for Power: Borders and Contradictions in Indian Tea Plantation Women's Organizing", Signs 33, no. 3 (2008): 497–505; Cynthia H. Enloe, Bananas, Beaches and Bases: Making Feminist Sense of International Politics, updated ed. (Berkeley, CA: University of California Press, 2000).

- 25. Michele Wucker, Why the Cocks Fight: Dominicans, Haitians, and the Struggle for Hispaniola (New York: Hill and Wang, 1999); Lucía Suárez, The Tears of Hispaniola: Haitian and Dominican Diaspora Memory (Gainesville, FL: University of Florida Press, 2006); Eugenio Matibag, Haitian-Dominican Counterpoint: Nation, State, and Race on Hispaniola (New York: Palgrave, 2003).
- 26. Steven Gregory, Devil Behind the Mirror: Globalisation and Politics in the Dominican Republic (Berkeley: University of California Press, 2007); Light Carruyo, Producing Knowledge, Protecting Forests: Rural Encounters with Gender, Ecotourism, and International Aid in the Dominican Republic (University Park, PA: Pennsylvania State University Press, 2008); Kimberly Eison Simmons, Reconstructing Racial Identity and the African Past in the Dominican Republic (Gainesville, FL: University Press of Florida, 2009).
- See, for example, Edwidge Danticat, The Farming of Bones (New York: Soho Press, 1998).
- David Howard, Coloring the Nation: Race and Ethnicity in the Dominican Republic (Oxford and Boulder: Signal Books and L. Rienner Publishers, 2001); Ernesto Sagás, Race and Politics in the Dominican Republic (Gainesville, FL: University Press of Florida, 2000); Simmons, Reconstructing Racial Identity.
- 29. On the other hand, in a personal communication (July 2004) the Solidarity Center organiser detailed Grupo M's attempts to destroy unions and organise 'yellow unions' in their Santiago factories that had been keeping her occupied until June 2004. The International Confederation of Free Trade Unions (ICFTU) US director was quoted as saying, "When we heard about the investment we were concerned because we were aware of the company's history of not allowing workers to form unions" see Miranda Moore, "Scandal of Workers Who Make Levi's", New Nation, 16 August 2004, http://www.nosweat.org.uk/article.php?sid=1029&mode=thread&order= o&thold=0 (accessed 12 November 2007).
- 30. Some people argue that the divisions between the two countries and their 'official' histories are exaggerated; and that as workers and as citizens Haitians and Dominicans have acted in solidarity with one another, particularly in diasporic contexts see Matibag, Haitian-Dominican Counterpoint.
- 31. David Simmons, "Structural Violence as Social Practice: Haitian Agricultural

- Workers, Anti-Haitianism, and Health in the Dominican Republic", *Human Organization* 69, no. 1 (2010): 10–18.
- 32. AFL-CIO is the acronym for the American Federation of Labor-Congress of Industrial Unions.
- Ralph Armbruster-Sandoval, Globalisation and Cross-Border Labor Solidarity in the Americas: The Anti-Sweatshop Movement and the Struggle for Social Justice in the Americas (New York: Routledge, 2005); Margaret E. Keck and Kathryn Sikkink, Activists Beyond Borders: Advocacy Networks in International Politics (Ithaca, NY: Cornell University Press, 1998).
- 34. Haitian Labour Code, article 137.
- 35. Batay Ouvriye press release, 10 February 2005.
- Anonymous SOKOWA executive committee member 'A', interview by author, 14
 August 2006.
- Anonymous SOKOWA executive committee member 'B', interview by author, 14
 August 2006.
- 38. I did not publish my findings in print or electronic media while I was conducting fieldwork in order to protect people. See Mark Schuller, "Mister Blan: the Incredible Whiteness of Being (an Anthropologist)", in *Fieldwork Identities*, ed. E. Taylor (Coconut Creek, FL: Caribbean Studies Press, 2010), 125–50.
- William I. Robinson, Promoting Polyarchy: Globalisation, US Intervention, and Hegemony, Cambridge Studies in International Relations (Cambridge: Cambridge University Press, 1996).
- 40. Jeb Sprague's blog can be accessed at http://jebsprague.blogspot.com/
- 41. Peter Hallward, Damming the Flood: Haiti, Aristide, and the Politics of Containment (London: Verso, 2007), 188.
- 42. Paul Collier, Haiti: From Natural Catastrophe to Economic Security A Report for the Secretary General (New York: United Nations Secretary General, 2009).
- 43. Victoria Carty, "Transnational Solidarity in the Garment Industry: A Comparative Analysis of Mexico, Guatemala, and Nicaragua", unpublished paper presented at American Sociological Association Annual Meeting, Atlanta, GA, 16–19 August 2003; Chatterjee, "Hungering for Power"; Ana Patricia Rodriguez, "The Fiction of Solidarity: Transfronterista Feminisms and Anti-Imperialist Struggles in Central American Transnational Narratives", Feminist Studies 34, nos. 1–2 (2008): 199–226.
- 44. For a discussion of the limits of this discourse of 'partnership', see Maria Eriksson Baaz, *The Paternalism of Partnership: A Postcolonial Reading of Identity in Development Aid* (London: Zed Books, 2005).
- See Mark Schuller, "From Activist to Applied Anthropologist to Anthropologist? On the Politics of Collaboration", Practicing Anthropologist 32, no. 1 (2010): 43–47.
- 46. See Mark Schuller, "Haiti's 200-Year Ménage-à-Trois: Globalisation, the State, and Civil Society", *Caribbean Studies* 35, no. 2 (2007): 141–79.

- 47. Michel-Rolph Trouillot, "Haiti's Nightmare and the Lessons of History", NACLA Report on the Americas 27, no. 4 (1994): 121–32.
- 48. Gina Athena Ulysse, "Why Representations of Haiti Matter Now More than Ever", NACLA Report on the Americas 43, no. 5 (2010): 37–41.
- 49. Hallward, Damming the Flood, xxxv.
- 50. Ibid., 186.
- 51. Harvey, Limits to Capital; Harvey, Spaces of Global Capitalism.
- Jeffrey S. Juris, "Performing Politics: Image, Embodiment, and Affective Solidarity During Anti-Globalisation Protests", Ethnography 9, no. 1 (2008): 61–97.
- 53. See Schuller, "Mister Blan".

COMMENTARY

History and Social Death

ERNA BRODBER

I TAKE MY TEXT FROM Orlando Patterson's Slavery and Social Death:

All slaves experienced, at the very least, a secular excommunication.

Not only was the slave denied all claims on, and obligations to his parents and living blood relations, but all such claims and obligations on his more remote ancestors and on his descendants. He was truly a genealogical isolate. Formally isolated in his social relations with those who lived, he also was culturally isolated from the social heritage of his ancestors. He had a past, to be sure. But a past is not a heritage. Everything has a history including sticks and stone. Slaves differ from other human beings in that they are not allowed freely to integrate the experience of their ancestors into their lives, to inform their understanding of social reality with the inherited meanings of their natural forebears, or to anchor the living present in any conscious community of memory. That they reached back for the past, as they reached out to related living, there can be no doubt. Unlike other persons, doing so meant struggling with and penetrating the iron curtain of the master, his community, his laws, his police men or patrollers, and his heritage.¹

Patterson bases this and other conclusions on his review of significant slave societies in every clime and in every time, so we hear about the culture of slavery in the Philippines, in China, in Brazil, among the first nations of North America, in the West Indies, everywhere. He buttresses his case about the powerlessness of the slave by reference to such statements as those by the