

# Fraud and Scandal in Haiti's Presidential Election

## Préval's Victory and the UN's Disgrace

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*Nou lèd, Men Nou La!*

(Haitian proverb: "Think we're ugly? Tough: We're Here!")

*Tout moun se moun.*

(Lavalas slogan: "All people are people.")

Haitian voters went to the polls on February 7, 2006 to elect a new president. The election was conducted under the tutelage of the United Nations, which for most of the past two years has been supporting and sustaining Haiti's flagrantly illegal interim government with an occupation force of over 9,000 soldiers and police.

After a week of increasingly obvious fraud and chicanery in the counting of the vote culminated in the discovery of tens of thousands of ballots smoldering in a dump outside Port-au-Prince, the Provisional Electoral Council (Conseil Électoral Provisoire, CEP) announced on February 15 an arrangement by which René Garcia Préval could be awarded the presidency. The CEP's decision appears to have been a reluctant one, but the alternative would have been to face increasingly large and vociferous demonstrations from an aroused electorate.

This result is a victory for the Haitian people: Préval, who received more than four times as many votes as the second-place candidate—and also, one must insist, won a clear majority of the votes cast—is quite obviously their choice for president.

But this outcome of an 'arranged' victory is also, it would seem, exactly what the anti-democratic forces in this situation were hoping they might achieve. ('Anti-democratic forces': this category includes not just the Haitian gangster elite that participated in the overthrow of President Jean-Bertrand Aristide two years ago, but also, to their shame, the US State Department, the US National Endowment for Democracy and the NGOs it has corrupted, the Canadian Department of Foreign Affairs, the Organization of American States, and the United Nations.) These agencies knew as well as everyone else that Préval was going to win by a landslide. Their goal appears to have been to secure an outcome that would make it possible for propagandists and pundits to argue, with their habitual dishonesty, that Préval's victory was in some sense incomplete, or tainted, and that his administration therefore needs to include representation from the more significant defeated parties—who just happen to have been participants or collaborators in the violent overthrow of the Aristide government in February 2004.

But to make sense of these events we need to have some understanding of the country's history.

## **A history of tyranny—and of resistance**

Let's be clear about two things. The people of Haiti, the vast majority of whom are descended from slaves brought to their island from Africa by the European powers, have an astonishing history of resistance to tyranny. And those European powers—together with their successors in the settler-colony nations of the United States and Canada, and their present-day instigators and abettors in the corporate world and in such corrupt and morally compromised organizations as the United Nations, the Organization of American States, the World Bank, and even some NGOs purportedly devoted to human rights, have acted quite consistently to keep the Haitian population in a condition of abjection, hopeless poverty, and effective enslavement.

Strong words? Why don't we think for a moment, then, about why Haiti has been for many decades incontestably the poorest nation in the western hemisphere?

Beginning in 1791, Haiti was the site of the hemisphere's only successful slave rebellion. Under the inspired leadership of Toussaint l'Ouverture, Haitian ex-slaves humbled, in turn, the armies of Spain, Great Britain, and Napoleonic France (whose 35,000-strong expeditionary force was supported by the United States with a contribution of the then-immense sum of \$400,000 [Engler and Fenton, 13]). But L'Ouverture was treacherously imprisoned during 'peace negotiations', and died in captivity; and although Haiti achieved formal independence in 1804, the country's first leader, Jean-Jacques Dessalines, was murdered by the Creole elite in a coup d'état—the first of many.

In 1825 France forced Haiti at cannon-point to acknowledge a debt of 150 million francs (a sum with a present-day purchasing power of some 21.7 billion US dollars)—as reimbursement, to former slave-owners in the homeland of *Liberté, Égalité, and Fraternité*, for the Haitians' own market value as slaves. According to Yves Engler and Anthony Fenton, the Haitian government was able to pay the first installment of 30 million francs only by closing down every school in the country; they note that in the late 19th century, payments on this literally extortionate debt "consumed as much as 80 percent of Haiti's national budget." The final payment was not made until 1947—and then, interestingly enough, to the United States, which in the course of its military occupation of Haiti from 1915 to 1934 had 'bought' Haiti's debt to France (Engler and Fenton, 103-04).

The fact that in the mid-twentieth century the world's richest democracy took what amounted to slave-trade money from a desperately impoverished nation that had become a minor satrapy in its global empire is, to say the least, instructive. But Haiti had further decades of immiseration to endure between 1957 and 1986 under the brutal US-backed kleptocracy of François 'Papa Doc' Duvalier, whose *Tonton Macoute* death squads operated in full daylight to suppress any whisperings of dissent, and his grotesque son Jean-Claude 'Baby Doc', who inherited his father's thieving propensities together with the murderous apparatus of his dictatorship.

When in 1986 a popular uprising led to the collapse of Baby Doc's regime, the US Air Force flew him, together with his entourage, into a comfortable retirement in France (the Duvalier family's stolen fortune was of course already in offshore banks). On February 8, 1986, the day after his departure, *CBC Radio News* reported that US military cargo planes

were disgorging shipments of small arms and ammunition at the Port-au-Prince airport—the motive apparently being to ensure that successors to the *Tontons Macoutes* would be equipped to deal with any possible outbreak of democracy in a form unpalatable to the CIA or to Haitian recipients of its largesse. (I remember taking note of this report, and also of the fact that after a single appearance on the 8 a.m. news it was edited out of the news stream.)

Not surprisingly, given these preparations, the ensuing process of a post-Duvalier ‘transition to democracy’ went less smoothly than some of its non-CIA American choreographers might have hoped. Writing a new Constitution was one thing; enacting it was something else. Following an abortive election in November 1987 in which “the army and paramilitaries stopped the voting by firing at voting centers, killing at least 34 people,” Leslie François Manigat ascended to the presidency in 1988 (see Concannon, 14 Feb. 2006 for the discreditable details), but was overthrown four months later by a military coup.

In the renewed presidential election of 1990, the US backed a candidate, Marc Bazin, who as a former World Bank official seemed presentable as well as suitably domesticated. But in this election democracy indeed broke out, in a manner unanticipated by American planners. Jean-Bertrand Aristide, a slender, soft-spoken priest whose life’s work had been in ministering to Haiti’s poor, and whose party of the poor was appropriately named Lavalas (meaning “flash flood,” from the French “avalanche”) won the presidency with an overwhelming 66.7 percent of the vote.

When it became clear that Aristide intended to fulfil the campaign promises on which he had been elected, he was overthrown in 1991, after only seven months in office, by a CIA-sponsored coup. However, the fascistic gangsters of the military and of the Front pour l’avancement et le progrès d’Haiti (FRAPH) who took power turned out to be an embarrassment to their American masters. They were openly involved in drug-trafficking, continuing the Duvalier régime’s work in CIA-protected cocaine transshipment between Colombia and Miami (see Chossudovsky). Moreover, they unleashed an appalling campaign of violence. Between 4,000 to 5,000 civilians were murdered, most of them Lavalas activists (see Flynn and Roth; Lemoine); and while “[s]ome 300,000 people became internal refugees, ‘thousands more fled across the border to the Dominican Republic, and more than 60,000 took to the high seas’” (Chossudovsky, quoting the statement of Dina Paul Parks, Executive Director, National Coalition for Haitian Rights, to the US Senate Judiciary Committee, Washington DC, 1 October 2002). To the dismay of the Clinton administration, many of these ‘boat people’ reached the shores of the United States.

In 1994 President Bill Clinton sent 20,000 US troops to Haiti and reinstalled Aristide. However, Clinton was by no means reversing the policies of the Reagan and Bush administrations. Aristide was returned to office only after a prolonged campaign of vilification in the US media, and an equally extended period of bullying by American diplomats, who made it clear that he would be permitted to implement, not his own policies, but rather those of his defeated rival, Bazin. And the globalizing institutions of the so-called ‘Washington Consensus’ went to work in Haiti—among them the World Bank, the US Agency for International Development (AID), the National Endowment for Democracy (NED), and a host of US-funded NGOs and ‘civil society’ groups—their goal being, as Jane Regan wrote in *Covert Action Quarterly* in 1995, “to impose a neoliberal economic agenda, to undermine grassroots democracy, to create political stability conducive to a good business climate, and to bring Haiti into the new world order appendaged to the U.S. as a source of markets and cheap labor” (quoted by Engler and Fenton, 25).

At the same time, a U.S. promise to disarm the Haitian military and the CIA-funded FRAPH paramilitaries, who had been responsible for mass killings between 1991 and 1994, went unfulfilled. The US instead “confiscated 160,000 documents detailing activities of FRAPH and the military regime, confounding efforts to bring justice and closure to the Haitian people who endured its death squads for three years” (Engler and Fenton, 24; “U.S. Government”).

Having served only two years of his mandate—most of that time under tight US control—Aristide handed over the presidency in 1996 to his associate René Garcia Préval, who had won the 1995 election in another landslide, with 88 percent of the vote.

## **Destabilization and the coup of February 29, 2004**

It is not my purpose here to analyze the viciously destructive programs of economic and political destabilization undertaken by the United States and by the international institutions of the Washington Consensus throughout the period of Aristide’s interrupted presidencies and Préval’s first term in office. However, a brief summary is necessary for us to understand what was at stake in the overthrow of Aristide by the US, Canada and France in February 2004, and what has been at stake as well in the 2006 election.

Michel Chossudovsky has documented the catastrophic consequences in Haiti of IMF-imposed “free-market reforms.” These included a 30 percent decline in Gross Domestic Product (GDP) during the period of military rule in 1992-94; the bankrupting of Haiti’s rice farmers and the destruction of the rural peasant-farming economy by the late 1990s through the dumping of US agricultural surpluses of rice, sugar and corn; successive IMF-World Bank-imposed “reforms” of the civil service, which were quite evidently intended to frustrate and nullify Lavalas initiatives in the domain of social policy; and a ruinous increase in fuel prices imposed by the IMF in 2003, which produced a currency devaluation and a 40 percent increase in consumer prices (Chossudovsky).

One no doubt intended consequence of economic policies of this kind is to de-legitimize the elected government that is pushed into assenting to them. Unrelenting pressures to privatize state resources and public services, and to further reduce an already derisory statutory minimum wage, have the parallel function of paralyzing any attempts on the part of progressive politicians to counteract or palliate the miseries inflicted on the population by ‘Washington Consensus’ globalization.

Because both Aristide and Préval tried to resist the implementation of these policies, Haiti was punished by withdrawals of promised loans from international agencies, and the cancellation of aid packages promised by the US, Canada, France and the European Union. At the same time, vigorous steps were taken by organizations like the US National Endowment for Democracy (NED) and the Canadian International Development Agency (CIDA) to politically destabilize the government by pouring money into organizing and financing “civil society” groups of all kinds. The most prominent recipients of this largesse were opposition political parties and members of umbrella organizations like Group 184 (led by Lebanese-American ‘industrialist’ Andy Apaid, who is reported to have connections with paramilitary groups, and whose sweatshops, selling to the Canadian company Gildan Activewear, supply a large part of the North American T-shirt market—and also defy the statutory minimum wage of \$1.50 per day, paying workers less than half that sum [Lemoine]). But other organizations as well, including media outlets, human rights groups, and trade unions, were co-opted into collaboration with the opposition by funding from

these sources. (For details of the process, see Barry-Shaw, Chossudovsky, Engler, Sprague, Van Auken, and Engler and Fenton, 47-60; and for documentation of the application of this same destabilization strategy in Venezuela, see Golinger.)

After 2000, a US-imposed embargo on all aid and loans to Haiti was legitimized by claims on the part of the Organization of American States (OAS) that the legislative elections of May 2000, in which Fanmi Lavalas candidates won by large margins, were, as Joanne Mariner, the Deputy Director of the Americas Division of Human Rights Watch put it, not just “profoundly flawed” but marked by a wholly innovative form of electoral fraud. Haitian law stipulates that the winner must receive 50 percent plus one vote; opposition parties and the OAS objected to the results in eight Senate races because the Electoral Council had used only the votes of the top four contenders (in one department, those of the top six contenders) to establish the 50 percent level.

The most commonly cited example was that of two Senate seats in a riding in the North-East department: “In this riding, to get the 50% plus one vote demanded by the OAS, 33,154 votes were needed, while the two FL [Fanmi Lavalas] candidates had won with 32,969 and 30,736 votes respectively, with their closest rival getting about 16,000 votes” (Barry-Shaw; see also Morrell, Mariner). By the Electoral Council’s method of calculation (which the OAS had apparently known of in advance of the elections, and had not objected to), the FL candidates were well over the 50 percent level. But by what seems to be the correct interpretation of Haitian law, they fell short by 185 and 2,418 votes respectively.

Most commentators would agree that even though the Fanmi Lavalas candidates would most probably have won a run-off election, the Electoral Council’s misinterpretation of the law amounted to an impropriety. Whether such a matter called for the extreme consequences of an international aid embargo is another question. (And with respect to the sanctimonious sermonizing about clean elections this episode prompted in the American media, it might be interesting to know how many of the US pundits who choked on this minnow were subsequently able to engorge without hesitation the thorny puffer-fish of George W. Bush’s ‘election’—by Florida fraud and a judicial coup d’état—in November of the same year.)

Jean-Bertrand Aristide was elected to the presidency of Haiti—unlike Bush, in a wholly unambiguous landslide—in November 2000. Following his inauguration, he persuaded seven of the eight contested senators to resign and proposed holding new elections for the disputed positions (Barry-Shaw).

But the opposition, organized by its American puppet-masters under the name Convergence Democratique, was not interested in compromise. And the US government, now controlled by the unelected Bush regime, used its veto powers on the Inter-American Development Bank to block loans to Haiti that, as Paul Farmer notes, were to have provided access to primary health care (40 percent of Haitians “have no access to any primary healthcare, while HIV and tuberculosis rates are by far the highest in Latin America”), and to drinking water (a 2002 British study which evaluated 147 countries according to a “water poverty index” found that “Haiti came last”).

US Congresswoman Barbara Lee judged this veto to be “particularly disturbing since the charter of the IDB specifically states that the bank shall not intervene in the politics of its member states. The Bush administration has decided to leverage political change in a member country by embargoing loans that the Bank has a contractual obligation to



disburse” (quoted by Farmer). Still more outrageously, the IDB told Haitians in 2001 “that their government would be required to pay a 0.5% ‘credit commission’ on the entire balance of undisbursed funds, effective 12 months after the date the loans were approved. As of 31 March 2001, Haiti owed the IDB \$185,239.75 in ‘commission fees’ for loans it never received” (Farmer). So that, my friends, will teach you to have some respect for legality.

Beginning in July 2001, US-organized and financed paramilitaries headed by former police officer and death-squad leader Guy Philippe conducted raids into Haiti from bases in the Dominican Republic; these included, on December 17, 2001, an attack on the presidential palace in Port-au-Prince; and on May 6, 2003, an attack on the hydroelectric dam at Peligre (Barry-Shaw).

Responsibility for providing diplomatic cover for a coup d’état appears to have been delegated to the Canadian government, whose Minister of La Francophonie, Denis Paradis, convened a meeting of American, French and Canadian officials in Ottawa from January 31 to February 1, 2003 which discussed “Aristide’s possible removal, the potential return of Haiti’s disbanded military, and the option of imposing a Kosovo-like trusteeship on Haiti” (Barry-Shaw; Engler and Fenton, 42-45).

The coup, when it came in February 2004, involved close collaboration among the US-equipped paramilitaries who invaded from the Dominican Republic, and—when it seemed in late February their attack on Port-au-Prince might be faltering—Canadian special forces (the Joint Task Force 2 unit) who occupied the Port-au-Prince airport on February 29, and the US Marines who abducted President Aristide and put him onto a plane bound for the Central African Republic (Barry-Shaw; Engler and Fenton, 17-20).

The appalling human consequences of the coup—among them the persecution, murder, and criminalization of large numbers of Lavalas activists and others who have continued to resist the overthrow of their democracy, and the systematic reversal of those progressive policies that Lavalas administrations had been able to implement—have been well documented (see Barry-Shaw; Engler and Fenton, 71-94; Fenton, 4 Aug. 2004, 21 Nov. 2004, 26 June 2005; Lindsay, 3 Feb. 2006; Maxwell, 19 Feb 2006; Pina, 17 May 2005, 1 Feb. 2006; San Francisco Labor Council).

Despite the unremitting hostility of the United States and its dependencies to democracy in Haiti, the Lavalas governments of Aristide and Préval made substantial gains for ordinary Haitians in education, health care, economic justice, social infrastructure, and justice and human rights (see Flynn and Roth). The people of Haiti have had a taste of democratic empowerment. As the descendants of L’Ouverture, Dessalines, and Charlemagne Peralte, one of the leaders of resistance to the US occupation that began in 1915, they are not willing to be trodden down again into abjection and despair.

We can take the fate of one institution as emblematic of the meaning to Haitians of their Lavalas governments, the 2004 coup, and the 2006 election. Laura Flynn and Robert Roth note that “President Aristide created a new medical school in Tabarre, which provided free medical education to 247 students from all parts of the country”; students in this school committed themselves to serving in their own communities after graduating.

After the coup, the US Marines closed the medical school and appropriated its building as a barracks. The Brazilian UN contingent has now installed itself in the building; the school remains closed.

Haitians, who rightly understand this as a gesture of contempt, would like to see their medical school re-opened.

### **Improprieties in the election of February 7, 2006**

The most obvious impropriety of the 2006 election resides in the fact that it should, by law, have taken place long ago. As noted by Brian Concannon, Director of the Institute for Justice and Democracy in Haiti, “Article 149 of the Constitution gives provisional governments 90 days to organize elections, and that period expired on June 1, 2004, without any attempt to hold elections.” During 2005, the Interim Government of Haiti installed by the US, Canada and France after the overthrow of President Aristide postponed elections four times, missing the deadline of February 7, 2006 for transferring power “that it had promised to meet for 21 months” (Concannon, 6 Dec. 2005).

Five days before this presidential election at last took place, the Council on Hemispheric Affairs (COHA), an independent, non-partisan research organization which has been described on the floor of the United States Senate as “one of the nation’s most respected bodies of scholars and policy makers,” released a scathing report declaring that “Haiti’s February 7th election inevitably will occur in a climate of fear and violence, which can in part be blamed upon the failed UN mission to that country.”

In the aftermath, it is clear that the UN must also take a large share of the blame for the fact that the provisions made for the election were quite transparently designed to disenfranchise poor voters—and for the further fact that ballot security (a direct UN responsibility) and vote tabulation were both spectacularly corrupt.

#### ***(a) Suppression of parties opposed to the Interim Government of Haiti (IGH)***

A number of reports in the corporate media noted, sometimes with surprise but seldom with any attempt at an explanation, that René Préval ran a very muted and low-key campaign.

Brian Concannon observes that one very simple reason for Préval’s near-invisibility was that Haiti’s Interim Government “engaged in a comprehensive program to suppress political activities of the Lavalas movement, where Mr. Préval drew most of his support, in the ten months before the elections.”

Many people were unable to participate in the election, either as candidates or activists, because they had been illegally imprisoned following the 2004 coup: “Political prisoners included Haiti’s last constitutional Prime Minister, a former member of the House of Deputies, the former Minister of the Interior, and dozens of local officials and grassroots activists” (Concannon, 17 Feb. 2006). Guy Philippe, on the other hand, the death squad leader who led the coup against Aristide in 2004, was free to present himself as a presidential candidate: he won 1.69 percent of the vote (Keane).

Prime Minister Yvon Neptune began a liquids-only hunger strike in protest against his incarceration eight months before the election, and continued to refuse solid foods throughout the election campaign. Another prominent political prisoner, Father Gerard Jean-Juste, who enjoys a moral authority among the Haitian poor comparable to Aristide’s, and who has been repeatedly urged to run for the presidency, was given a “temporary release” and flown to the US just days before the election in order to receive emergency medical treatment for leukemia and pneumonia. It seems clear that the IGH responded to the

international outcry over this case only because the celebrated epidemiologist Dr. Paul Farmer, who has run a now world-famous clinic and hospital at Cange in rural Haiti for more than twenty-five years, had examined Jean-Juste in prison and diagnosed his leukemia—and because fifty members of the US Congress had joined the campaign for his release (see Jean-Juste; Maxwell, 13 Feb. 2006).

The normally calm and restrained Council on Hemispheric Affairs had this to say about the prison in which Neptune, Jean-Juste, and other political prisoners have been held:

“The UN, the OAS, France, Canada, and the U.S., have been unwilling to intervene in ongoing gross human rights violations affecting the country’s criminal justice system, where every day arbitrary arrests and detentions under the interim government’s villainous former Minister of Justice, Bernard Gousse, strain the human conscience. Only an estimated 2%, of the more than 1,000 detainees taken to the Czarist-like national penitentiary, whose foul conditions cannot be exaggerated, have been legitimately tried and convicted of a crime. Furthermore, the abysmal prison conditions are infamous for being horrendously unsanitary and dangerous for its detainees. Riots and summary executions routinely occur...” (COHA).

Arbitrary arrests were supplemented by government-organized attacks on political assemblies during the period leading up to the election. Peaceful pro-Lavalas demonstrations were repeatedly fired upon by the Haitian National Police while UN forces stood by and watched. (Kevin Pina, an American journalist who witnessed one such event and photographed the police snipers, was rewarded with a death threat from the Brazilian officer in command of the UN detachment, who was taped telling him, “You are always making trouble for us. I have taken your picture and I am going to give it to the Haitian police. They will get you” [HIP, “U.N. covers”].)

Campaign events organized by Préval’s Espwa party (the Kreyol name comes from the French “espoir,” or “hope”) were similarly targeted, to the extent that government-instigated violence made campaigning impossible. Brian Concannon notes that “In January, a pro-government gang destroyed structures erected for a Préval campaign speech in the town of St. Marc, canceling the event. No arrests were made. Violence and threats of violence forced the cancellation of subsequent events, even the campaign’s grand finale the week before the election” (Concannon, 17 Feb. 2006).

What this adds up to is “the use of political terror as a campaign strategy. Over and over again over the past six months [i.e., since June 2005], Haitian police, and even troops from MINUSTAH, the UN mission in Haiti, have gone into neighborhoods known as strongholds of government opponents, killing, maiming and arresting people and destroying houses. In October, MINUSTAH’s top human rights official called the human rights situation in Haiti ‘catastrophic,’ citing summary executions, torture and illegal arrests. Keeping the poor neighborhoods under siege and imprisoning activists keeps government opponents from organizing and campaigning” (Concannon, 6 Dec. 2005).

***(b) Vote suppression through the maladministration of voter registration by the IGH, the OAS and MINUSTAH***

The Organization of American States (OAS) and the UN’s stabilization mission to Haiti (MINUSTAH) assumed joint responsibility for the election process. According to the Council on Hemispheric Affairs report, “Both organizations have been heavily criticized by Haiti’s



Secretary-General of the Provisional Electoral Council, Rosemond Pradel, for failing to carry out their responsibilities.”

The voter registration process was transparently designed to disenfranchise the poor. While for the elections in 2000 René Préal’s administration set up more than 10,000 voter registration centers across the country, the IGH and its international overseers provided fewer than 500. As Brian Concannon writes, “The offices would have been too few and far between for many voters even if they had been evenly distributed. But placement was heavily weighted in favor of areas likely to support the IGH and its allies. Halfway through the registration period, for example, there were three offices in the upscale suburb of Petionville, and the same number in the large and largely roadless Central Plateau Department. In cities, the poor neighborhoods were the last to get registration centers, and Cité Soleil, the largest poor neighborhood of all, never got one” (Concannon, 17 Feb. 2006).

The undersupply and biased distribution of registration centers was compounded by what the COHA report generously calls an “ill-conceived strategy” to provide instructions about registration and voting by radio and television—a plan that collided “with the hard reality that the rural and urban poor systematically lack access to such relative luxuries.”

As a result of these provisions, only 3.5 million out of an estimated 4.2 million eligible voters were registered (COHA; Concannon, 17 Feb. 2006)—a decline of 500,000 from the more than four million voters who were registered in 2000 (Keane). But some of the voters who did manage to register were then no doubt disenfranchised by the late arrival of their voter cards, the distribution of which had not yet begun by December 25, 2005 (COHA).

### ***(c) Vote suppression through the IGH’s and MINUSTAH’s undersupply of voting centers***

A further suppression of the votes of poor people was achieved through a parallel undersupply of polling stations, and by delays in the supply to polling stations of necessary materials.

In the 2000 elections, the Préal administration provided more than 12,000 polling centers across the country; in 2006, the UN and the IGH set up only one-fifteenth of that number (see Keane; and “Haitian Political Rights Leader”). As Jonathan Keane noted, “Despite having millions more dollars to spend on this election than in 2000 [...], officials claimed that security and fraud concerns were responsible for the reduction.”

On January 17, 2006, Reed Lindsay reported in the *Washington Times* that critics—some of them members of the Provisional Electoral Council (CEP)—were characterizing the CEP as “so plagued by partisanship and incompetence that it may not be capable of holding free and fair elections.” According to one member of the CEP, Patrick Féquière, “‘We could be in for a fiasco on Feb. 7.’ [...] Mr. Fequiere and others point to problems with the 804 voting centers designated by the U.N. peacekeeping mission. They say that too many voters have been assigned to the wrong center and others must walk too far because there are not enough centers. A Dec. 27 report issued by the Washington-based IFES [International Foundation for Election Systems], which is observing the elections with USAID funds, said the accessibility issue ‘threatens to disenfranchise thousands of voters.’ The report says some people will have to walk as many as five hours to vote. But Gerardo Le Chevallier, chief of elections for the United Nations, said, ‘The most people will have to walk is six kilometers’—about 3.75 miles” (Lindsay, 17 Jan. 2006; quoted by Melançon). Unnamed UN

officials were elsewhere quoted as saying, of the long walks made necessary by the reduced number of polling stations, “that Haiti’s rural poor are ‘used to it’” (Keane).

In Lindsay’s *Washington Times* report, we should note, the UN is acknowledged as having taken responsibility for the siting of the voting centers—though Brian Concannon’s account of the effects of vote suppression observable on February 7, which indicates that on election day a grand total of 807 centers were in place, makes the IGH primarily responsible for this feature of the election:

“The IGH had limited the voting centers to 807, which would have been inadequate even if the elections had run smoothly (Los Angeles County, with a slightly larger population but only 37% of Haiti’s land area and infinitely better private and public transportation, had about 4,400 polling places in November 2005). But by 1 PM on election day, Reuters’ headline read: ‘Chaos, fraud claims mar Haiti election.’ Most election offices opened late and lacked ballots or other materials; many did not become fully functional until mid-afternoon. Voters arrived at the designated centers to find the center had been moved at the last minute. Many who found the center identified on their voting card waited in line for hours only to be told they could not vote because their names were not on the list. At some centers, tens of thousands were crammed into a single building, creating confusion, and in one case a deadly stampede” (Concannon, 17 Feb. 2006).

As with pre-election registration, so also in the allocation of polling stations Cité Soleil received the most egregious mistreatment. The entire community was served by only two voting stations—both, as Concannon notes, “located well outside the neighborhood.” He adds that “One of the two, the Carrefour Aviation site, was transferred at the last minute to a single building where 32,000 voters had to find the right line to wait in without posted instructions, lists of names or an information center” (Concannon, 17 Feb. 2006).

According to UN spokesman David Wilmhurst, MINUSTAH was in no way to blame for any of this: its mission was simply “to verify that the voting centers [that] the electoral council had selected physically existed [...] it has never been our job to determine the location of voting centers.” The Council on Hemispheric Affairs has denounced this statement as “a blatantly obvious attempt to exonerate MINUSTAH’s clear abdication of responsibility.”

No less blatant, one might add, is what seems a clear piece of obfuscation in a *New York Times News Service* report of February 14, which informed readers that there were 9,000 polling places in the February 7 election (see Thompson, 14 Feb. 2006).

Is it possible that each of the 807 voting centers contained, on average, eleven distinct precincts? This may have been the case, though I have found no evidence to this effect. (Such an arrangement would only have augmented voters’ confusion—and it would obviously be misleading to describe precincts situated under the same roof as distinct “polling places.”)

Or was the *Times* reporter, Ginger Thompson, perhaps confusing the number of voting centers with the round number of UN troops and policemen occupying the country?

#### **(d) The story of a fraudulent vote count**

The Haiti Information Project predicted on February 8, on the basis of “exit polls and initial results,” that René Garcia Préval would be declared winner “with a handy 63% of the

vote,” and anticipated that his nearest rivals, Leslie Manigat and Charles Henri Baker, would receive 13 and 10 percent respectively (HIP, “HIP predicts Preval winner”). This early estimate of Manigat’s and Baker’s shares of the vote turned out to be fairly accurate. But Préval’s share dropped precipitously as the count proceeded.

On Thursday, February 9, the Provisional Electoral Council (CEP) announced that with 22 percent of the votes counted, Préval was leading with 62 percent of the vote, while Manigat and Baker trailed with 11 percent and 6 percent. By Saturday evening, however, Préval’s share of the vote was down to 49.61 percent (Concannon, 14 Feb. 2006).

On Sunday, February 12, *Reuters* reported that results posted that morning on the CEP’s website showed that Préval’s share of the votes counted had dropped to 49.1 percent, while Manigat was in second place with 11.7 percent (Delva, 12 Feb. 2006). On February 13, the *New York Times* reported these same figures, noting that by this point more than 75 percent of the ballots had been counted, and that Baker, in third place, had 8.2 percent of the tallied vote. The *Times* report added that “international observers, whose independent samplings of the votes had shown Préval winning well above 50 percent of the vote,” were “stunned” by these results (Thompson, 13 February 2006).

But the *Times* reporter chose to ignore several other details reported by *Reuters*.

One of these was a statement on February 12 by Jacques Bernard, the director of the Provisional Electoral Council (CEP), to the effect that while figures on the Council’s website showed Préval with 49.1 percent, he actually had “just under 49 percent.”

If one might guess from this that Bernard was interested in nudging Préval’s numbers downward, other statements in the same article indicate that he was engaged in wholesale vote tabulation fraud. The key evidence is the fact that “a graphic on the Web site generated by computer had Préval at 52 percent, above the majority needed to avoid a runoff”—and that the person in charge of the voting tabulation centre insisted that this, rather than the concurrently displayed figure of 49.1 percent, was the correct number.

According to Joseph Guyler Delva, the *Reuters* journalist, “Pierre Richard Duchemin and Patrick Fequiere, two of the nine members of the elections council, said the vote tabulation was being manipulated and blamed Bernard. ‘The percent which is given by the graphic is done by the computer according to figures entered by a data operator and the computer can’t lie,’ said Duchemin, who was in charge of the voting tabulation center. He said he had been excluded from viewing data. ‘There is an unwholesome manipulation of the data. Nothing is transparent,’ he said” (Delva, 12 Feb. 2006).

On the same day, Duchemin was reported by the *Associated Press* as saying that “he needs access to the vote tallies to learn who is behind the alleged manipulation. He’s calling for an investigation” (see “Haitian Official”). Either at this point or subsequently, “The UN Peacekeeping mission was forced to remove the doors to the tabulation center to prevent Mr. Bernard and his advisors from acting secretly” (Concannon, 14 Feb. 2006).

The February 12 *Reuters* report also quoted Préval’s own gently acerbic comment on the vote tabulation controversy: “‘I went to school and the CEP has given two figures, 52 percent and 49 percent. Now there is a problem,’ said Préval, talking to reporters while sitting on a bench in the village square in his mountain hometown of Marmelade. “Forty-nine percent I don’t pass. Fifty percent I pass”” (Delva, 12 Feb. 2006).

At 7 a.m. on Monday, February 13, Port-au-Prince's *Radio Metropole* carried the latest vote tally figures, according to which Préval's share of the vote had slipped to 48.7 percent. (Some sources reported that the results posted on Monday on the CEP's website gave Préval 48.76 percent of the vote [see Jacobs, 15 Feb. 2006; Williams, 16 Feb. 2006].) Whatever the exact figure, within a short time massive demonstrations had formed throughout the capital. Major thoroughfares were blocked, sometimes with barricades of burning tires, and a crowd 5,000 strong surged into the Hotel Montana, in the rich suburb of Petionville, where the voting tabulation was being done. Though the hotel was described in the American press as having been "stormed," no damage was done to the building or its contents, and no-one was harmed: election officials had sensibly stayed away from work, and the tabulation center was locked and empty. Archbishop Desmond Tutu "was a guest at the hotel, saw what happened and said not one item was broken or stolen—pretty remarkable for a crowd of that size that had every reason to be very angry" (Lendman). Some demonstrators did, it seems, enjoy a celebratory swim in the Hotel Montana's pool (see Thompson, 14 Feb. 2006; and Williams and Regnault).

The only serious violence of the day appears to have occurred in Tabarre, just north of the capital, where Jordanian UN troops, who on February 3 were reported to have fired upon the public hospital in Cité Soleil (see Lindsay, 3 Feb. 2006; quoted by Melançon), opened fire on demonstrators, killing one or perhaps two and wounding several others (see Williams and Regnault, and "Haiti 'victor'").

On Tuesday, February 14, René Préval publicly denounced the vote count, declaring that "We are convinced there was massive fraud and gross errors that affected the process," and citing an independent tabulation by the US National Democratic Institute (the international arm of the Democratic Party), according to which he had won 54 percent of the vote (see "Haiti 'victor'").

The NDI's prompt response that its count did not include blank votes (which by Haitian law must be included in the total when candidates' percentages are being calculated) was reported by *Reuters* as though it invalidated Préval's claim (see "Haiti marks time").

But are we not supposed to understand elementary arithmetic? Even allowing a high figure of 4.7 percent of the total ballots being blank, it's evident that the NDI count still gives Préval 51.5 percent of the total ballots.

According to the US government's propaganda agency *Voice of America* (whose Port-au-Prince employee Amelia Shaw, in a clear instance of the effacement of whatever distinction once existed in the US media between news and propaganda, was also concurrently reporting for *National Public Radio* [see "US Propaganda"]), the UN's spokesman David Wimhurst dismissed the allegations of Préval and other people as unhelpful and inflammatory: "I think they are stirring up trouble. People are making gratuitous claims that are unfounded, and of course the people who voted for the number one candidate are being agitated, organized to go on these demonstrations and put up these roadblocks, and it's causing chaos in the city and preventing MINUSTAH (U.N. stabilization force) from doing its work and the electoral machine from operating properly."

This Orwellian declaration was supported in Amelia Shaw's article by the statement that "International election observers have not reported serious irregularities" (Shaw).

Unless we think of Wimhurst as rehearsing for a future career as a straight man in stand-

up comedy, his timing was unfortunate. For within hours of Préval's statement on February 14, a discovery that had been made by local residents on the previous day in a dump on the outskirts of Port-au-Prince was all over Haitian television: "Local Telemax TV news Tuesday night showed smashed white ballot boxes in a garbage dump, with wads of ballots strewn about. Ballot after ballot was marked for Preval" (Jacobs, 15 Feb. 2006). When *Associated Press* reporters visited the site, they saw "hundreds of empty ballot boxes, at least one vote tally sheet and several empty bags—numbered and signed by the heads of polling stations—strewn across the fly-infested dump five miles north of Port-au-Prince. 'That's extraordinary,' U.N. spokesman David Wimhurst said" (Selsky).

Reacting with measured anger, the electorate again brought Port-au-Prince "to a standstill" with demonstrations and roadblocks. On Wednesday, February 15, as *Reuters* reported, crowds poured out "from slums like Cite Soleil and Belair, where Preval has won the same passionate support among Haiti's poor masses that formed the backbone of Aristide's political power. Waving burned ballot papers and ballot boxes found in the dump, the protesters chanted, 'Look what they did with our votes,' as they marched past the U.S., Canadian and French embassies" ("Haiti marks time").

Rosemond Pradel, the CEP's Secretary-General, blamed the UN for this fiasco: "'The CEP was not handling the ballots,' Pradel said. He said securing the ballots after they had been cast was the responsibility of the 9,000-strong U.N. force ..." (Delva, 14 Feb. 2006). The wretched David Wimhurst was reduced to indicating that "ballots were supposed to have been sealed in bags and placed in a container protected by U.N. troops. 'It's not normal to have these ballots there'" (Delva and Loney).

In his attempts to explain how thousands of ballots had ended up smoldering in a dump, Wimhurst revealed that the election had not gone quite as smoothly as the *Voice of America* might want us to believe: "U.N. spokesman David Wimhurst said the ballots could have come from any of nine polling stations across the country that were ransacked on election day, forcing officials to throw out up to 35,000 votes. At least one voting center was destroyed by people tired of waiting in line, others were destroyed by political factions, he said. Wimhurst said it was possible someone dumped the ransacked ballots to create an appearance of fraud" (Jacobs, 15 Feb. 2006).

But have we not already passed beyond mere appearance into the reality of fraud in an election in which fully one percent of the polling stations are wrecked by "political factions"—a coded reference to anti-democratic paramilitaries? Might one guess that the voting centers ransacked by these people were more likely to have been in pro-Lavalas or pro-Espwa districts than in upscale neighborhoods like Petionville? And what were UN forces doing while the ransacking went on? Standing by, perhaps, to issue death threats to any journalist who might think of recording the events?

And what of the international election observers, who had previously announced that "the vote was legitimate, with no evidence of fraud" ("Préval declared winner")? If by this time they had gone so far as to take note of irregularities, they weren't telling anyone: "An official with the European Union, which has election observers in Haiti, said the mission has refrained from commenting. A spokesperson said: 'The situation is volatile and difficult, and we do not want to make any declaration.' The Canadian observer group also refused to comment" ("Haiti orders review").

Why should international observers behave in so remarkably discreet a manner?



Mightn't one expect that the job of being an election observer should entail actually looking at what's there to be seen, and then telling the world about it?

Brian Concannon resolves the mystery with his characteristic lucidity: "Although there are international observers on the ground, they do not reassure Haitian voters. The observation delegations are organized and funded by the U.S., Canada and France, the three countries that led the overthrow of Haiti's Constitutional government in February, 2004. With good reason, Haitians wonder whether countries that spent millions of dollars two years ago to remove the President they elected will make much effort to install their latest choice" (Concannon, 14 Feb. 2006).

### ***(e) Details of the vote count***

Brian Concannon also provides the best available account of what, in detail, went wrong with the vote count.

If the trashing of ballots by the truckload in a dump outside Port-au-Prince was the most dramatic \_expression of contempt for democratic proprieties in the February 7 election, a larger-scale and more flagrant form of fraud was the miscoding or the destruction of tally sheets from polling centers. Concannon writes that "254 sheets were destroyed, reportedly, by gangs from political parties opposed to Preval. 504 tally sheets reportedly lack the codes needed to enter them officially. The missing tally sheets probably represent about 190,000 votes—over 9% of the total votes cast—and according to the UN, disproportionately affect the poor areas that support Preval." The difference between 48.7 percent of the vote and 50 percent is a matter of about 22,500 votes. As Concannon notes, "Mr. Preval would not have needed to win an overwhelming percentage of these 190,000 votes to increase his lead by the 22,500" (Concannon, 17 Feb. 2006).

A large number of ballots—"147,765 votes, over 7% of the total"—were discarded by electoral officials as "null," that is to say as ballots which do not permit one, in the language of Article 185 of the Electoral Code, to "recognize the intention or political will of the elector." Concannon identifies a number of factors that no doubt contributed to the casting of null votes: "Presidential ballots were complicated, with 33 candidates, each with a photo, an emblem and the names of the candidate and the party; voters were tired from walking and waiting; some voting was done in the dark by candlelight; and many voters are unused to filling out forms or writing." But another factor may have been more important: "the decision to nullify was made by local officials handpicked by an Electoral Council that had no representation from Preval's Lespwa party or Lavalas" (Concannon, 17 Feb. 2006).

Another group of ballots—"85,290, or 4.6% of the total valid votes"—were blank ballots. Concannon observes that "These votes were actually counted against Preval, because under the election law they are included in the total number of valid votes that provides the baseline for the 50% threshold." The inclusion of blank ballots as valid is a provision designed to allow voters "to show their displeasure with all the candidates by voting for no one" (Concannon, 17 Feb. 2006). Some voters may have been confused enough by the ballots to leave theirs blank. But it is simply not plausible that large numbers of voters would have chosen to endure long walks in the tropical heat, and the indignity of much longer waits outside deliberately inadequate voting centers, for the dubious pleasure of casting a blank ballot. Given that the polling places were staffed by the adherents of parties in whose clear interest it was to dilute Préval's vote with blank ballots, it seems likely that a high proportion of blank ballots were simply stuffed into the ballot boxes by party

functionaries.

Other factors remain imponderable. When a report from the *Agence Haïtienne de Presse* informs us that an individual “was arrested last week at the Haitian-Dominican border with ballot boxes in his possession that were full of ballots already marked for a candidate of the former opposition to Aristide” (“Port-au-Prince), we have no way of knowing what the scale was of the intended crime—or, more importantly, how many other such individuals may have slipped through with cars or trucks full of ballots for Manigat, Baker, or the murderous Guy Philippe. Nor, failing an investigation of Jacques Bernard’s voting tabulation shenanigans, can we make any precise estimate of his impact on the official tallies.

But shall we try our hand, nonetheless, at estimating what the uncorrupted vote may have been before the election thieves went to work on it? Pierre Duchemin and Patrick Féquière of the CEP accused their Director, Jacques Bernard, of fiddling the vote tabulations—and the action of the UN in removing the doors behind which he had been working in secret lends substance to their accusation. Bernard claimed Préval had just under 49 percent of the vote, while Duchemin insisted that 52 percent was the correct figure. Let’s be Solomonic rather than scientific, and split the difference between Bernard’s 48.7 and Duchemin’s 52 percent. That would give Préval 50.35 percent—enough, by the way, to win the first-round election.

I think it fair to assume that Préval would have won three-quarters of the votes from Lavalas-Lespwa strongholds whose tally sheets were miscoded or destroyed: that would add another 6.75 percent to his share of the vote. And it’s probably not rash to think that 40 percent of the null votes were falsely invalidated Préval ballots: that brings his share to 59.9 percent of the vote. And what if half of the blank ballots were stuffed into the boxes by partisan election officials rather than voters? That would raise Préval’s vote share to within spitting distance of the Haiti Information Project’s February 8 prediction, based on early results and exit polls, that he would take 63 percent of the vote, or the CEP’s February 9 statement that with 22 percent of the votes counted, he had won 62 percent of the total. If, finally, we make the modest assumption that three-quarters of the 35,000 votes that Wimhurst said had to be discarded after voting centers were ransacked were Espwa votes, then Préval’s share of the vote is easily at the 63 percent level.

(Notice, by the way, that in the absence of clear information about the quantity and provenance of the ballots in the dump we haven’t included any speculation as to how they may have affected the count.)

Do these calculations seem fanciful? Then let’s think the issue through from another direction.

In an election in which we know that the interests of the parties associated with the IGH and favored by the occupation forces were furthered by chaotic administration of the deliberately insufficient facilities, and in which we also know that well-to-do communities were much better served on a per capita basis with voting centers than poor communities, it seems probable that the early returns would have tended to come from voting centers in wealthier neighbourhoods—whose clientele would have been less inclined than the electorate at large to support the candidate of the poor.

What then might the statistical odds be of Préval enjoying 62 percent of the first 22 percent of the ballots counted, but only 49.1 percent of the first 75 percent counted?

Wouldn't we expect that his share of the vote should have risen, rather than declined, as the later returns from predominantly poor communities came in?

To produce the result announced by the CEP, Préval's vote share would have had to plunge, after the first 22 percent of the ballots were counted, by about 18 percent on average, and would have had to hover in the 44 to 45 percent range during the counting of the next 53 percent of the ballots. The likelihood of such a pattern occurring by chance is infinitesimally small. What possible explanation could there be for it, other than grossly fraudulent vote tabulation?

### **The victory 'arrangement'**

The arrangement accepted by the CEP involved dividing up the 85,000 blank ballots among the candidates in proportion to each one's share of the vote. The solution, as Concannon writes, amounts to an assumption "that the blank votes resulted from confusion, and allocates the votes accordingly. The result is the same as if the CEP simply discarded the blank votes, and treated them the same as null votes" (Concannon, 17 Feb. 2006). Préval's share of the vote rises to 51.15 percent, and there is no need for a second round election.

In accepting this deal, Préval also apparently gave up his right to a complete tabulation of the vote, and perhaps as well to any investigation of the election's irregularities. It would have been instructive to see what proportion of the null ballots were improperly nullified; moreover, since all of the ballots were numbered, the provenance of the ballots found in the Cité Soleil dump could have been traced, and the sequence of ballot numbers among the blank ballots might well have provided evidence of ballot-box stuffing.

But Préval may have calculated, Concannon suggests, "that the international community, which had not complained about the inadequate registration and voting facilities, and only lightly complained about the IGH's political prisoners, would show similar restraint when faced with tabulation irregularities. And he knew that if the first round could be stolen from him, the second round could as well" (Concannon, 17 Feb. 2006).

None of the old enemies have gone away. Condoleezza Rice was quick to say, on Thursday, February 16, that the US wants a stable Haiti, and "has a good record in trying to get Haiti out of the desperate circumstances in which they live" (Jacobs, 16 Feb. 2006). The *New York Times*, as Brian Concannon acerbically remarked, declared on February 17 that "the election deal 'tarnishes the democratic legitimacy' of Preval's landslide. It recommends that Preval remove the tarnish by 'reaching out to his opponents' (e.g. pursuing policies that the voters rejected), and 'reining in his violence-prone supporters.'" The editorial did not suggest that Mr. Preval's opponents, many of whom were key players in the violent overthrow of Haiti's democracy two years ago which led to thousands of deaths, rein in their supporters" (Concannon, 17 Feb. 2006). Stephen Lendman has commented incisively on a further chorus of fatuities and falsehoods that have disgraced the pages of the *Wall Street Journal*, the *Los Angeles Times*, the *Miami Herald*, and *The Nation*, as well as the news reports of *National Public Radio*. What can one say? There's a lot of shit piled up in those Augean stables.

The Haitian people, and René Garcia Préval, face an uphill struggle. But there is no doubt about the courage and the resilience that they bring to it. In the words of the song “Rezistans”—the Kreyol lyrics, by Serge Madhere, have been set to music by Sò Anne (Annette Auguste, who remains a political prisoner of the coup regime) and recorded with the group Koral La:

Slavery, occupation, nothing has broken us

We have slipped through every trap

We are a people of resistance.

(quoted by Flynn and Roth)

How the Haitian people fare in that struggle will be, in part, a measure of our own humanity.

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