Alter-Rights: Haiti and the singularization of universal human rights, 1804–2004

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Abstract
To rethink human rights when they have become little more than hollow ideology in the hands not only of nation-states but of the UN as well requires a radical change in perspective. This article will thus look back to one of the key moments in the history of human emancipation – the Haitian Revolution – to ask whether it might hold, in its unfulfilled potential, implications for overcoming the contemporary impasse of human rights discourse. Unlike the earlier French and US revolutions, which extended putatively ‘universal’ rights only to limited categories of citizens (typically white, adult, male property-holders) Haiti was alone in the early-modern world in its implementation of an unqualified, immediate ban on human slavery. For all its daring originality, however, the Haitian intervention never lived up to its historical promise. Both internal political divisions and the international pressure of contemporary slave-holding states such as France and the United States consistently undermined the Haitian initiative throughout the nineteenth and twentieth centuries. In the second part of this article, analysis of this historical process will lead me to consider the ways in which the works of Edwidge Danticat and Peter Hallward stand as contemporary interventions that remain faithful to this unfulfilled legacy of 1804.

Résumé
Repenser les droits humains au moment où ils ne sont plus que l’idéologie creuse des états de droit exige une transformation radicale de perspective. Cet article revient sur un des moments clés dans l’histoire de l’émancipation – la révolution haïtienne – et cela afin de voir si celle-ci peut imaginer des voies qui mèneraient par-delà les impasses actuelles. À la différence de ses prédécesseurs américains et français, qui octroyèrent des droits dits ‘universels’ uniquement à certaines catégories de citoyens (typiquement, des propriétaires blancs, adultes, et mâles) Haïti fut seul à procéder à une interdiction immédiate et non qualifiée de l’esclavage humain. En dépit de cette originalité, l’intervention haïtienne n’a jamais réalisé tout son potentiel historique. Des divisions internes, aussi bien qu’une pression internationale incessante des états esclavagistes de l’époque ont sapé l’initiative haïtienne à travers les 19e et 20e siècles. L’analyse de ce processus historique nous mènera dans la seconde partie de cet article à considérer la manière dont les ouvrages d’Edwidge Danticat et de Peter Hallward représentent des interventions contemporaines encore fidèles à cet héritage non concrétisé de 1804.
Introduction
To rethink human rights when they have become little more than hollow ideology in the hands not only of nation-states but of the UN as well requires a radical change in perspective. Our contemporary period since the global events of 1968 is characterized by the gradual weakening – and virtual collapse after 1989 – of the various master-narratives of political liberation, both on the left (as socialist utopia) and the right (as political liberalism). These have been replaced by a global, neo-liberal freedom of consumerist choice in an information-based society. Faced with the collapse of the ongoing struggle to create a just society (disintegration of trade unions, of communism, of national borders before the incursion of global capital and its demands for systemic restructuring), the discourse of human rights seems increasingly merely to supply our universal acquiescence with a good conscience. The proposal here is that to begin this reformulation of human rights, one should in fact look back to one of the key moments in the history of human emancipation – the Haitian Revolution – in order to see if this radical disruption of the sedentary order of the early modern world system might hold, in its unfulfilled potential, implications for overcoming the contemporary impasse of human rights discourse. In the second part of this article, this will lead to a consideration of the ways in which the works of Edwidge Danticat and Peter Hallward stand as contemporary interventions that remain faithful to this unfulfilled legacy of 1804.

Attributive versus constituent human rights in the age of revolution
Human rights are too often thought of only as a problem for states (and transnational structures such as the UN) to resolve. The identity of the subjects of such rights is a received construct, rather than one that is autonomously constructed from within any pre-existing context emerging from contemporary global colonialism. From this standpoint, it is easy to show that human rights are merely negative, beneficently bestowed upon passive populations reduced to their suffering, merely biological, existence.1 The problem with such a view is its radical, not Eurocentrism (although it tends to this as well), but what one can call its hegemonocentrism: whoever has the power (it is claimed) decides what constitutes ‘human rights. Derived from Marx, this view of human rights as the mere ideology of liberal democracy (and its UN subsidiary), simply accepts what is in fact always a highly-contested struggle for hegemony.

Viewing human rights as merely negative (ideology), while often an exact analysis of historical realities, one-sidedly adopts the viewpoint of Carl Schmitt, who put forward as ‘fact’ that ‘whoever has true power is able to determine the content of concepts and words’.2 William Rasch, adopting and elaborating on this critique of (negative) human rights by Schmitt and Agamben, asks sceptically: ‘Who decides? What political power representing which political order defines terms like human rights and public reason, defines, in fact, what it means to be properly human?’3 The dictators, military juntas, and more or less liberal democracies do, of course, if our view is limited to these centres of constituted power. But just as human rights concern those at the periphery of the developed world at
least as much as those in its centres, so one may rightfully look for alternative conceptions of universal rights (social, political, human) at the margins of global colonialism. Not only can one find there highly developed communitarian traditions; in at least one instance, a political philosophy of universal human rights was forged on this colonial periphery that continues to pose — some two centuries since its formulation — a profound challenge to the dominant western understanding of universal rights. It is the contention of this article that the participants in the Haitian Revolution (1791–1804) profoundly reworked the universalism of the French doctrine of the Rights of Man that they found at hand. Rather than taking an attributive model of rights (rights as a contingent gift of the state), they put forward instead, to an uncomprehending world, a positive understanding of rights as the coefficient of the power of the multitude. This insurgency involved as much a strategic disidentification with their attributed roles (as slaves, labouring beings, racialised sub-humans, etc.) as it did a corresponding process of political subjectivation and identity formation. Haiti drove the globalization of the Radical Enlightenment beyond the parochial confines of the North Atlantic, to become the first nation to realize the full political implications of the Spinozian critique of constituted authority and the call for a society in which all human subjects retain their self-moving constituent power (Natura naturans).4

The need to understand human rights as the capacity of individuals and collectives to fashion their existence and development has increasingly taken precedence in an era in which human rights have achieved hegemony over the concept of the political.5 This idea of a universal right of all human beings to freedom as the positive capacity for self-determination can only be viewed from a global, and not merely local, scale. In fact, human rights are increasingly understood to be the primary criterion in evaluating political regimes. Economic development and even democracy, both of which can and often do sacrifice the rights of individuals, are only means of achieving universal human rights.6

This attempt to ground a society not upon economic freedom or representative democracy, but instead upon the most basic universal human rights, was first successfully articulated two hundred years ago in the Haitian Revolution. The events in St. Domingue brought to fruition the unfulfilled promise of the French Revolution to found a state in which positive rights applied equally to all citizens, without exception. It marked true progress in human existence — if one understands such progress not as the perfection of means of production or increases in material wealth, but rather humans’ increasing success in resisting terror, suffering, and fear.

The invention of human rights in the second half of the eighteenth century was a fundamentally transnational phenomenon. In the global system that was early modern capitalism, three sites in particular broke through the all-encompassing social web of relations and structures to affirm the undivided rights of all humans: Philadelphia, Paris, and Cap Français (Saint Domingue) formed an Atlantic triangle. Unlike that of the slave trade, this was the triangulation not of labour, but of an idea, a process based upon the extension and fullest development of freedom and not exploitation. Lynn Hunt has argued that the belief that there exists such a

4. For further development of this theme and others discussed in this article see Nick Nesbitt, Universal Emancipation: The Haitian Revolution and the Radical Enlightenment, Charlottesville: University of Virginia Press, 2008.


thing as human rights or ‘the rights of man’ is a historically situated development, one that could only appear following substantial changes in the conception of selfhood and identity in Enlightenment Europe and America. Hunt describes this shift as an expanding feeling of empathy for others outside one’s immediate family or relations, in particular for those of other social classes, claiming that ‘[h]uman rights could only flourish when people learned to think of others as their equals, as like them in some fundamental fashion’. A significant factor in this development, she argues, was the enormous popularity of novels such as Richardson’s Pamela (1740) and Rousseau’s Julie, ou la nouvelle Héloïse (1761), novels that described, with overwhelming detail and sensitivity, the emotional lives of their main characters. On this reading, the belief that there exist fundamental and inalienable human rights and a sense of a shared, universal human equality arose in part through exposure to this literature of sensibility: readers ‘learned this equality, at least in part, by experiencing identification with ordinary characters who seemed dramatically present and familiar, even if ultimately fictional’. Other social changes Hunt points to include shifts in legal code, the perception of the human body as a possession not to be violated by torture and unjust punishment, and the wider social identity of collective groups that came to think of themselves as ‘nations’.

Such changes in identity allowed for the appearance of a number of sites in which this shift took on particularly compelling political force. The idea of human rights tore apart the densely knit web of social existence in the early modern Atlantic world. Its explosive appearance was an event; no mere modification in this world, it heralded a vast shift and transformation, a passage from one world (early-modern, slave-based agrarian capitalism) to another (liberal, wage-based industrial capitalism). While historians have registered many dimensions of this enormous shift, key among them was this alteration of the deepest structures organizing identity and social existence. Consequently, two entirely different, opposing, and irreconcilable transcendental structures or systems came into conflict. The first (call it the ancien régime) was hierarchical. The elements of this system experienced identity in a network of vertical relationships of authority and submission, dependency and endowment.

In contrast, when individuals and communities began to count themselves as subjects of universal right, they articulated a transversal association based upon the proposition of universal equality. While many different social articulations of this proposition were pursued in this period, from the anarchic egalitarianism of Babeuf and the newly freed rural poor of St. Domingue, to the pseudo-equality of the new industrial proletariat and bourgeoisie, all were fundamentally incompatible with the ancien régime they replaced. Universal equality was a concept that required strictly heterogeneous transcendental coordinates structuring social existence. From the perspective of hierarchy, universal equality appeared as anarchy, terror, destruction, and barbarity. This was not entirely untrue, since radical egalitarianism required, for its own existence, the elimination of hierarchy. Speaking a new language, forming new identities and subjectivities, was thoroughly incomprehensible without a corresponding shift in identity (as occurred with aristocrats of the revolution such as Condorcet.

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and La Fayette). It was an exception, breaking through the axioms of hierarchy, and could only appear as a void, a hole ripped through the fabric and weave of a world, opening onto another, one that was frightening and unknown, but utterly exhilarating for those who passed through this political looking glass.

The new subjects who came out the other side no longer referred their social being to the ready-at-hand, centuries-old transcendental apparatus of hierarchy, but instead premised their existence only upon themselves in a process of re-indexification. These new subjects counted themselves as subjects of right, refusing their previous discounting in the system of hierarchy, to invoke a new, egalitarian identity, and to evoke new social structures that would (it was hoped) support and extend these novel identities. Though Hunt pays relatively little attention to St. Domingue in her description of this Atlantic phenomenon, in certain respects, it was the location in which this transformation in identity was taken to its highest pitch. In the age of revolutions and the rights of man, St. Domingue was the site of most radical re-indexification. While Philadelphia and Paris first articulated the imperative of political equality and the attendant destruction of hierarchy, the new social structure they instituted in 1787 and 1791 counted as equal only white, male, adult property holders. All other members of this society remained subject to (new) regimes of hierarchy.

It was the St. Domingue Revolution of 1791–1804 that carried forward the new logic of universal equality under a single imperative: no humans can be enslaved. For decades, indeed until the subsequent creation of Liberia and Ethiopia, Haiti stood alone as the world’s sole republic of free peoples in a world system whose fundamental axiom remained the extraction of surplus profit from slave labour.

While France had responded to the destruction of its immensely profitable sugar colony after 1791 by banning slavery from 1794–1802, essentially rubber-stamping a fait accompli, Napoleon sought, through any means available, to supplement Thermidor reaction, and to reinstate French slavery by force when he invaded Guadeloupe and St. Domingue in 1802. By 1804, Haiti was the last outpost of the French and American Revolutionary egalitarianism, its mere existence inadmissible in a system of global colonialism based upon the enslavement of a portion of humanity.

While it announced to the world that ‘[a]ll men are created equal’, the American Revolution was principally fought for the equality of non-slaves: for these white, adult, male property-holders, liberty meant freedom from unjust taxation and military conscription. It began as a tax revolt among the entitled colonial elite, and only citizens privileged enough to pay taxes were to enjoy its advancements. In fact, it never called into question North American social and class relations. 1776 was a call for the freedom of property owners. Those who counted in this new society defended, as the rebels’ letter of July, 1792 or Toussaint’s famous letter to the French Directory of November, 1797 thoroughly refute, I think, such a claim. Nick Nesbitt, (ed.), Toussaint Louverture: The Haitian Revolution, London, Verso, 2008, p. 5. p. 32.


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subordinated the rights of slaves to the defence of those of property owners.\textsuperscript{15} Even Vermont, cited as the first nation in world history to abolish slavery, in fact sustained a transcendental apparatus of hierarchy.\textsuperscript{16} While its 1777 constitution called for the abolition of slavery, it limited this process to adult males over twenty-one and women over eighteen:

\begin{quote}
I. That all men are born equally free and independent, and have certain natural, inherent and unalienable rights, amongst which are the enjoying and defending life and liberty; acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety. Therefore, no male person, born in this country, or brought from over sea, ought to be holden by law, to serve any person, as a servant, slave or apprentice, after he arrives to the age of twenty-one years, nor female, in like manner, after she arrives to the age of eighteen years, unless they are bound by their own consent.\textsuperscript{17}
\end{quote}

Incredibly, the actual result of the American Revolution was that from 1790 to 1807, more African slaves were imported to the United States than in the whole colonial era. Between 1776 and 1820, the slave population in the United States fully \textit{tripled}.\textsuperscript{18} The institution of the United States of America was, in essence, a legal and political \textit{enabling} of slavery.

Between 1791 and 1791, the Parisian Assemblée Nationale actively sidelined demands for immediate abolition in light of the lucid egalitarian imperative of the Declaration of the Rights of Man and Citizen. The colonial policy of the National Assembly in this period sought to protect the interests of Metropolitan property owners and their colonial holdings. The architects of this retrograde defence of hierarchy were the so-called ‘triumvirate’ of the representatives Adrien Duport, Alexandre Lameth, and Antoine Barnave. Acting in consort, they prevented demands for the defence of the Rights of Man from impinging on the rights of colonial property owners. Their actions subordinated the rights of slaves to those of the commercial and plantation bourgeoisie.\textsuperscript{19}

This defence was made public and explicit on March 8, 1790, when the Committee on the Colonies, headed by Barnave, stated that: ‘the National Assembly does not intend to make any innovations in any of the branches of commerce between France and the colonies, whether direct or indirect; it puts colonists and their property under the special safeguard of the nation’.\textsuperscript{20} Barnave and his associates were able to silence debate over slavery and the rights of the enslaved until the summer of 1791, principally by the time-honoured bureaucratic tactic of submitting an endless series of committee reports that were then adopted without discussion.\textsuperscript{21} The concept of human rights articulated in the French Revolution, for all its universalist idealism, remained regressively hierarchical, parochial, and exclusionary. The slaves in its colonies remained utterly alienated from all possibilities of political decision. Left on the outside, looking in to this new world of radical egalitarianism, the slaves of St. Domingue depended only upon themselves to invoke a new society of undivided right in 1791.
Haiti and the Radical Enlightenment

The Haitian Revolution articulated a political philosophy that, in hindsight, stands as the culmination of what Jonathan Israel has called the ‘Radical’ Enlightenment. This political philosophy brought to bear a single revolutionary proposition: to avoid any alienation of rights and, as Spinoza had put the matter, to ‘always preserve the natural right in its entirety’. The slave colony of St. Domingue followed up and radicalized the auspicious initial propositions of the American and French Revolutions. The axioms of undivided egalitarianism were first enunciated in the reception of thinkers such as Rousseau, Diderot (via Raynal), Mirabeau, and Robespierre. Not only was the Haitian Revolution (among many other things) a development of the Radical Enlightenment, it carried forward, in a series of novel prescriptions, the abstract concept of universal equality. In this view, the Haitian Revolution represents a radical critique of identity, understood as the forcible, often violent attribution of normative social roles by a sovereign power. In its place, the Radical Enlightenment affirmed the virtual, constituent power of all subjects (whether individual or collective) to singularize their existence in defiance of all normative claims enforced by constituted power.

Radical Enlightenment political philosophy propelled the Haitian Revolution, via the political philosophy of Diderot, Rousseau, and the Jacobins. The axiom that human rights are universal, indivisible, and inalienable is the logical outcome of a series of propositions the Radical Enlightenment inherited from Spinoza: the universe is univocal, consisting of a single undivided substance, and movement is inherent in matter itself (*Natura naturans*), not instilled by an external First Mover. Spinozian political ethics called for maximizing the capacity for self-determination immanent to all natural beings.

Unlike Hobbes, who derived inalienable natural rights from the mere imperative to preserve physiological life, Spinoza maintained that natural right must protect and cultivate not only biological life, but also an individual’s fullest, unrealized possibilities (what he called its ‘essence’). Political right Radical Enlightenment invokes the infinite, open-ended potential of beings to constantly singularize themselves as expressive beings. In Rousseau’s concept of ‘perfectibility,’ human nature is for the first time understood not as an unchanging constant, but instead develops in continuous transformation. In this sense, Radical Enlightenment philosophy stands as a critique of all pre-constituted ‘identity politics’, to call instead for ‘identity’ as the ever-renewed refashioning of our self-same subjective awareness and social positioning.

The Spinozian (logical) claim that a single, universal Substance is inherently self-moving, leads to an ethical maxim that all constituted beings must strive to create the maximal conditions of possibility for the self-determination of their infinite modalities. Inevitably (for those Spinozians such as Diderot who were concerned with the matter) to the conclusion that slavery, the most brutal and bestial alienation of this inherent potential, must be destroyed by any and all means available. The rule of law must apply indivisibly to all rational beings. Others prior to Spinoza had called for a true democracy of undivided egalitarianism, in which all would count as eligible to rule, without distinction and...

27. For further development of this argument, see Nick Nesbitt, op. cit., p. 21, p. 96, p. 174.


30. The French concept of droits (‘un droit, des droits’), on the other hand, completely avoids defining rights as property. Rights are rather ‘ce qui est permis par conformité à une règle morale, sociale’ (i.e. bestowed on individuals [‘permis’] by some higher order), or else, as with natural or universal rights, they are (in another of the multitude of striking formulations that make the magnificent Robert dictionary the true work of art that it is) the ensemble des règles considérées comme existant en dehors de toute formulation, Dictionnaire Robert, Paris: Dictionnaires Le Robert, 1988.


32. ‘Human rights’, Donnelly correctly observes, ‘arise from human action; they are not given to man by God, Nature, or the physical facts of life. Human rights represent a social choice of a particular moral vision of human potentiality’. Jack Donnelly, Universal Human Rights in Theory and Practice, Ithaca: Cornell University Press, 1989, p. 17. It is worth adding that we nonetheless find qualification. Spinoza was, however, the first to deduce such a transcendental apparatus systematically from the very simplest of ontological presuppositions. ‘With his system’, Jonathan Israel writes, ‘Spinoza imparted shape, order, and unity to the entire tradition of radical thought, both retrospectively and in its subsequent development, qualities … [that] were henceforth perhaps its strongest weapons in challenging prevailing structures of authority and received learning and combating the advancing moderate Enlightenment’.26 While Spinoza and his followers bequeathed to the Atlantic world a protean philosophy of undivided human rights, While Spinoza and his followers bequeathed to the Atlantic world a protean philosophy of undivided human rights, the St. Domingue Revolution became the site for its most extensive radicalization.27

One of the fundamental lessons of the Haitian Revolution is that hegemony over the content of human rights is never a closed question; it is always under contestation by the individual subjects of human rights. The Haitian Revolution was the first successful rebuttal to a North Atlantic blindness and paternalism that still today forgets the constituent power of events such as 1804 and can only throw up its hands to conclude that ‘After all, when push comes to shove, “we” decide […] which societies are decent and which ones are not’.28

This understanding of human rights as negative (as either empty ideology or as necessarily bestowed from above) is rooted in the Anglo-Saxon tendency (traceable to John Locke) to conceive of human rights as an (inalienable) possession, a good or object that, in the words of one of the leading contemporary theorists and defenders of human rights, ‘belongs to you’. One is a ‘right-holder, […] authorised to make special claims’ against a government that would then bestow those rights upon its (passive, indebted) subjects.29 Rights themselves are defined in Anglo-Saxon tradition as ‘an entitlement, freedom, or privilege to do something’ (i.e., possessions bestowed from above by a government).30 In this understanding, which typifies virtually all contemporary thought – whether critical or affirmative of human rights – human rights are quintessentially reified into objects, property, something one has.

Attention to the Haitian Revolution as a constituent definition and construction of human freedom from below, by the subaltern subjects of those rights, can point beyond such a vision of human rights as property. Only legal rights – which must be sharply distinguished from human rights31 – should be understood as negative rights: they are indeed bestowed upon citizens by a transcendental governing apparatus. Human rights, however, must be based upon an entirely different conception of right: that of the Spinozian ‘potentiality’ of human expression, the internal, non-relational power (as potencia) of conscious beings to become autonomous subjects of their own freedom and to singularize their own existence and that of their communities in an ongoing process of self-fashioning.32

Such a view of human rights is entirely incompatible, however, with that of rights as a possession (something one can ‘have’, as Donnelly puts it) given or bestowed from above upon passive individuals. Instead, conceiving humans to be characterized by their potential for singularization, implies that we must completely rethink human rights as well. ‘Most of the alternatives to human rights [such as autocratic, technocratic, and military...}
treat people as objects rather than as agents, beneficiaries but not right-holders. They rest on an inegalitarian and paternalistic view of the person as someone to be provided for, a passive recipient of benefits, rather than the creative agent with a right to shape his or her life. We must abandon the vision of human rights as objective property, as possession, and the corollary view of the human being as a passive recipient of benefits bestowed by a transcendent state power.

An understanding of human rights that takes to heart their Haitian articulation would conceive them as a function of the constituent power of a community exercising its universal faculty of judgment to the end of their potential for autonomous singularization. If human rights are to be addressed to humans, to individuals (in society) able to compose their modes of existence, then human rights, like identity itself, must remain not inflexible, prescriptive norms, but open to perpetual redefinition. Positive definitions of human rights, such as the International Bill of Human Rights, merely create the grounds for their own (eventual) fulfilment. ‘The humanum’, wrote Ernst Bloch, ‘has the function of a historical goal, not the function of an a priori principle of deduction; it is the utopia, which is not present but anticipated’.

Beyond any – necessary – critique of its ideological misuse in the era of the UN as an arm of Empire, the question of human rights must be rethought from below; they are not a problem to be left to nation-states and their mouthpieces. Human rights are precisely at stake not for those benefiting from their surplus, but, as the Haitian Revolution first showed, for those to whom they are only a lack or absence. They are at issue precisely for the stateless; a slave, an immigrant, the unaccused in Guantánamo. In the era of the so-called war against terror, under the ubiquitous state of exception overriding any absolute right of the accused, any individual can become stateless in an instant, thrown into jail with a presidential lettre de cachet, eternally beyond detection in some u-topian centre of detention and torture. Human rights are a question not of their (eventual, possible) bestowal from above, but of how communities in a place such as contemporary Haiti can constitute themselves to fashion their singular identity in a process of political subjectivation. This process would envisage not the constitution of a stable, self-same identity, but a political struggle to end the impunity of para-military gangs, of torture, of invasion, of postmodern, transnational coups d’état, of ongoing exploitation in the face of transnational empire.

The formal discourse of human rights in circulation in global modernity since the Declaration of the Rights of Man and Citizen is, as is widely recognized, a historical enunciation that is, itself, constitutive of a certain subjectivity and identity claim: that of humans as universal subjects of these rights. As news of the American and French Revolutions circulated throughout the world, new subjects fashioned themselves following their understanding of its ideal image. This constitutive process was often radically differential: rarely, if ever, did these new subjects simply and blindly mimic the model of a Robespierre or Abbé Gregoire. Rather, the global constitution of subjects of human rights since 1789 has occurred as a critical and constitutive event, in which new forms of subjectivity arose precisely due to the gap between the abstract claims of universal rights as
37. On the social construction of universalism via the extension of labora-

38. See Peter Hallward’s *Out of This World* on Deleuze and the historical movement from classical notions of the infinite (Spinoza), to the finitude of autonomous specification (Kant), to the contemporary ‘counter-actuali-

The extension of universality through the early-modern world occurred via a series of nodal points spread throughout a transnational network. In this process, the requisite conditions for the social construction of human rights were extended – and adapted – from one ‘laboratory’ site to another. This extension of universalism was not the unfolding embodiment of a metaphysical essence, but the productive expression of an immanent potentiality, the potentiality to universalize the socio-historical conditions for emancipation from a small number of ‘laboratories’ (Athens, Mali, Philadelphia, Paris, St. Domingue) to encompass the modern world-system in its totality.

In Saint Domingue, universal human rights became an adequate (and not merely clear and distinct) idea, moving beyond the idealist Cartesian clarity of earlier Enlightenment condemnations of slavery to become, by 1793 (fully a year before the first French abolition), a world-historical event. The Haitian Revolution is the political event in which humans, understood as singularities (and not as a genus or homogenous totality), emerged from the finitude of determinate circumstances to address the infinity of a truth: universal emancipation. This dependency upon the logic of universal human rights in the Haitian Revolution carried it to immediate success (1791–1804), yet paradoxically left it vulnerable to the neo-colonialism that has plagued Haiti since 1804. The ideology of universal rights impelled those who had experienced slavery to complete their revolution no matter what the cost; the axioms of undivided equality said nothing, however, about how a society freed from slavery should be con-
structed. This new, post-hierarchical transcendental apparatus of equality could, and did, go on to take a multitude of forms, some truly progressive and faithful to Radical Enlightenment propositions, others a mere charade of freedom, covering and justifying the worst excesses of exploitation and injustice. In Haiti, what had been a struggle to instantiate the positive freedom of a society without slaves in the 1790s quickly became a hollow, negative freedom after 1804. For an imperilled nation state whose mere existence threatened to invalidate an entire world system, little more than a fidelity to the most meager definition of slavery was sustainable until after 1848 and 1861, by which time Haitian political and economic autonomy had been utterly vitiated by the concerted actions of France and the United States.

Without a positive image of how a universally free society, one able freely to instantiate infinite modalities of alterity, might be constructed within the pre-existing complexity of the early-modern world-system, the revolutionary elite of 1804 seized upon the only model they knew, the plantation structure of large-scale and forced labour that produced a discourse and the actual absence or lack of political right on the part of the subjects who encountered such formal enunciations. The appearance of what was a seemingly empty, formal void in Saint Domingue after 1789 was, in fact, radically productive of a new form of political subjectification, one whose novelty was due precisely to this encounter, and to the imagi-
native agency of a population able to reconfigure the ontological parameters of their political and social world in a process of ongoing, critical disidentification with their prescribed role in the early modern world sys-
tem of global, agrarian capitalism.
handful of commodities for the global agricultural world-system. Similarly, Haitian peasants categorically refused to return to the plantation after 1804, attempting to implement an opposing model of isolated small-plot subsistence cultivation. Though Haitian singularization of the Radical Enlightenment received its impetus from the ideal of universal rights, the form that this new nation would become remained a political question; here, the axiom of universal rights could only orient (but never fully determine) the subsequent process of building an autonomous society.

Still, the Haitian Revolution bears an enormous difference from the contemporary reign of human rights discourse in late capitalism. In the contemporary context, the discourse of human rights tends to underwrite the withdrawal of individuals and states from participation in the construction of a just society, indeed, even justifying the violation and destruction of these rights. Saint Domingue witnessed precisely the opposite process between 1791 and 1804. The Haitian Revolution was an attempt to instantiate universal human rights; in St. Domingue, the Rights of Man were a call to political subjectivity, an invocation to become subjects of a new political and social axiomatic and to overthrow the slave-holding society that stood before 1789, as the paradigmatic instance of hierarchy and injustice. As such, it offers our world of rampant depoliticisation and the fig leaf of contemporary global human rights, a counter-model faithful to the infinite claims of universal justice.

Constituent rights and political identity in contemporary Haiti

This constituent understanding of universal human rights is actively sustained in contemporary Haiti. These are rights exercised not as received donation (from the state, the UN, or any other transcendental body practicing politics as the distribution of power to the powerless) but as dissonance and self-determination on the part of a community still today maintained on the margins of the contemporary world system. One finds this sensibility at work as a critical faculty in the writings of Edwidge Danticat. Danticat’s texts point to a new way of intervening at the juncture between cultural production and political praxis (in the traditional sense of the word). Following the collapse of Cold War bilateralism and the hegemonic rise of global capitalism and transnational, imperial interventionism, Danticat’s writing moves across demarcations of both personal and political space, and narrative genre (novel, short story, memoir, op-ed editorial) to chart out new modalities and conceptualizations of political activity and a post-identity politics that refuse subordination to transcendental models of social normativity. The personalized intimacy of testimonial writing and its formal corollary, the small-scale piece in her work brings sustained attention to universal problems such as social injustice and their construction within discursive regimes of social, political, historical, and linguistic production.

Danticat’s political intervention is no programmatic manifesto. Instead, she brings a poetic sensibility and micrological sensitivity for suffering to testify to the destruction of human possibility, and to recover the persistent splinters of hope lodged in the wreckage of post-Duvalierist society. This she does in any genre necessary: the story-cycles of Krik? Krak! and The Dew Breaker, her novels, interviews, and memoirs such as Brother, I’m

41. Edwidge Danticat, op. cit., p. 222.

42. On the ‘stateless egalitarianism’ of Haitian Bossale society since 1804, a social system that functioned for a century and a half until Duvalier as a highly articulated, systematic and unassimilable negation of the dominant North Atlantic model of liberal individualism and consumerist sub-

40. Such a politics of solidarity would erase distinctions of the personal and political that have historically allowed for various forms of injustice to continue unabated in the ‘private sphere’ (domestic violence, etc.). It would overwrite distinctions between those who enjoy and those who remain devoid of all legal rights, to redirect our attention to the injustices done to immigrants such as her uncle Joseph, who died in a Miami Immigration detention centre. Danticat’s testimony describes a distributive US human rights regime in which ‘Cuban refugees are, as long as they’re able to step foot on dry land, immediately processed and released to their families, [while] Haitian asylum seekers [such as her uncle] are disproportionately detained, then deported’.41

This is a political interventionism beyond parties and programmes, one that seeks to construct a complex articulation between the singularity of any personal identity and the abstract juridical and political structures that enable and promote both injustice and its negation. Danticat uses the pre-existing means of a transnational public sphere of discussion to bring forward new subjects of political right; her interventions constitute a previously impossible formulation: call it the universal, egalitarian humanity of the (Haitian) people. Heretofore, Haiti has only ever been identified by the world beyond its borders as lawlessness, savagery, chaos, brutality. Haiti, if it existed at all in North Atlantic perception, has been unthinkable in its radical humanity and democratic, egalitarian compass.42 Danticat intervenes within the global public sphere to describe a new political sub-
altern subject in this era of the globalized destruction of international law and human rights, a destruction that ranges from Kosovo and Guantánamo to the emblematic treatment of Haitian ‘boat-people’ themselves.

When we will respond to her interpellation, Danticat will have begun the construction of a sequence of equivalence obtaining between all of her readers in their utter singularity. To read Edwidge Danticat successfully is to participate in the communal construction of a community-to-come inflected with a Haitian aksan. To be faithful to her appeal, Danticat’s trans-
national readership must participate in the formation of this simultaneously differential (in its cultivation of singularity) and equivalent (in its fidelity to undivided right, justice, and potential for humanity) system of political articulations. Danticat’s writing is no less than the petition for a system of universal justice beyond any national political structure, the assertion of a universal right to the singular self-fashioning of any subject. The exacting rhetorical justice of her poetic polemics allows for the crystal-
lization of these various demands for a just society within a signifier (say, the abstract promise of ‘flight’ beyond the impasse of all national borders). It is the openness of such a process of crystallization, which we bring to fruition in the act of reading and reacting, that can constitute the politics of a community beyond programme, race, and nation. This is the crystallization of our own understanding that the system in which we participate has already and continues to this day, unashamedly, to destroy human lives as alterities in the name of the imperialist nation-state and its client-states (the attempt to make Haiti safe for North Atlantic capital investment in neo-feudalized labour). The specificity and power of Danticat’s evocation serve as a call to political mobilization: this in the name of a fidelity to undivided human rights that is the legacy of 1804 to the modern world.
It is a similar fidelity that characterizes Peter Hallward’s description of the systematic destruction of Haitian democracy in his incisive study *Damning the Flood: Haiti, Aristide, and the Politics of Containment*. Hallward mounts a compelling, exhaustively researched defence of Jean-Bertrand Aristide as a democratically-elected president who was overthrown by a US, French, and Canadian sponsored coup in 2004. Hallward describes in detail a country that, he reminds us, was ‘the only country in Latin America that had the temerity to choose a liberation theologian as its president – twice’. In response, an active and long-term campaign to oust Aristide reflected a ‘general Washington consensus’ when he said that ‘Aristide – slum priest, grassroots activist, exponent of liberation theology – represents everything that the CIA, DOD, and FBI think they have been trying to protect this country against for 50 years’. Hallward defends Aristide’s political movement *Lavalas* as a populist organization representing the vast majority of Haiti’s excluded *moun endeyo*, which defends its rights by any means necessary, since Haitian history has repeatedly shown that ‘since it is violence that preserves injustice, those who fight for justice must protect themselves against violence’.

In contrast to this ongoing process of popular mobilization, Hallward describes a country that simultaneously serves as a glaring example of the contemporary politicization of human rights discourse. In zones of contemporary global imperialism, the supervision of human rights by governmental and non-governmental organizations alike is systematically designed to exclude the participation of those concerned. Instead of the culture of pacified misery implied by the NGO human rights model, Hallward celebrates the two centuries old Haitian tradition of ‘militant, unabashedly political mobilisation that can alone offer any meaningful protection for truly universal rights’. This militancy is the populist legacy of the Haitian Revolution and its unique formulation of universal human rights from below. Hallward argues that critics surprised or outraged by the persistence of a degree of vigilantism in Aristide’s Haiti [...] forget that the people who mobilised around Aristide were far and away the main targets of political violence through this period. They forget that without a certain amount of defensive counter-violence, Aristide and other Lavalas leaders would never have survived the assaults of the late 1980s and early 1990s (the November 1987 killings, the attack on Saint Jean Bosco, the Lafontant coup ...), let alone the return of paramilitary pressure from 2001. And they forget that for most poor people in particular, notions like police protection and the rule of law are in the great majority of cases empty words.

In conclusion, Hallward describes the 2004 coup against Aristide in which the twice democratically-elected president was first politically weakened by US-driven rebel forces, and subsequently driven from Haiti under pressure: ‘driven from office by US insistence on the one prospect he was not prepared to confront – the imminent prospect of overwhelming violence against unarmed civilians, coupled with the longer-term prospect of a debilitating civil war’.
The former slaves of the Haitian Revolution, along with contemporary Haitians who defend their democracy against its oligarchic obfuscation with the only means available to them, have striven to defend a dissonant understanding of human rights in a global community that conceives of these as rights to be differentially distributed to subalterns who step in line to affirm whatever ‘New World Order’ happens to be in fashion at the moment. Just as they refuse the interposition of an interpretive maître, for two centuries the Haitian community has judged itself apt to affirm its rights as constituent power without any interposition of authority, of those ‘entitled’ to rule by virtue of their birth, sex, property, nationality, or race. Both the Haitian Revolution and the democratic election (and re-election) of Jean-Bertrand Aristide scandalized the North Atlantic Enlightenment powers because they were affirmations of true democracy: not the distribution of rights and power from above, nor the bureaucratic management of society, but the positive affirmation of the right of anyone, absolutely anyone, to assert their political sovereignty and to refuse to identify with the role attributed to them by sovereign power. The scandal of the Haitian Revolution and its inheritance in the Lavalas movement is to have affirmed the right to sovereignty on the part of those with absolutely no qualification beyond their human capacity to judge and act autonomously. Haitians have structured their political improvisations through an understanding of human rights as constituent power that continues to resonate in the ongoing struggle for the political autonomy of a nation.

References


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