



## **Institute on Religion and Public Policy Report:**

### **Religious Freedom in Haiti**

#### **Executive Summary**

Throughout its modern history, Haiti has been rife with political upheavals. At times tensions between Vodou and Roman Catholicism have been tense, leading to legal restrictions and social discrimination against religious practitioners from both groups. Nevertheless, following the ratification of the 1987 Constitution, religious freedom has been relatively secure. While there has been some social prejudice against liberation theology and Vodou, the current Haitian government protects religious freedom in general.

#### **Institute on Religion and Public Policy**

The Institute on Religion and Public Policy is an international, inter-religious non-profit organization dedicated to ensuring freedom of religion as the foundation for security, stability, and democracy. The Institute works globally to promote fundamental rights and religious freedom in particular, with government policy-makers, religious leaders, business executives, academics, non-governmental organizations and others. Twice nominated for the Nobel Peace Prize, the Institute encourages and assists in the effective and cooperative advancement of religious freedom throughout the world.

#### **Historical and Cultural Religious Information about Haiti**

Haiti's history of using religion for political means dates back to 1791 when Boukman Dutty, a Vodou Priest, sparked the Haitian Revolution. Vodou is a term used to describe the Afro-Creole religion of Haiti that has been previously associated with ancient West African practices. Following the revolution in 1804, Haiti became the only nation created out of a slave revolt. Colonists blamed vodou, in part, for the start of the revolution, and viewed it as a pagan practice leading to tensions between the Catholic colonists and vodou practicing slaves and natives. As a result, the Vatican refused to recognize the Haitian government after the Revolution.

In addition to the problems associated with religious differences, Haiti also has a long history of racism. Historically, the people who did not practice vodou were the educated, elite, and light-skinned Haitians, such as Jean Pierre Boyer who fought against the followers of the Cult of Dessalines. Under Boyer's rule, vodou was banned in 1835. The elite viewed vodou as a pariah religion that promulgated dancing, music, and unsupervised meetings between members of

the opposite sex. After Boyer's long rule, Haiti entered a period of constant political upheaval with leaders consistently being deposed after only a year in office. From 1847 to 1859, Faustin I ruled as emperor and created a dark-skinned nobility that practiced vodou in public. Immediately after his reign, Catholic leader Fabre Geffrard came to power and destroyed numerous vodou items. In 1860 he signed a *concordat* declaring Catholicism as Haiti's official state religion. After the signing of the concordat, the Vatican resumed recognizing Haiti's government.

The U.S. Military occupied Haiti from 1915 – 1934 to protect trade with the small island nation from the increasing hostility of the Haitian government. Under U.S. Military occupation, a new constitution was written and reluctantly signed by the Haitian congress, which allowed whites to purchase property in Haiti for the first time since the Haitian Revolution. The military occupation was supported by the Vatican, allegedly to help rid the country of vodou. Although the occupation primarily protected outside interests such as the Haitian American Sugar Company, the U.S. helped build schools, roads, and other infrastructure.

## **Legal Status**

During a time of great political upheaval, a new constitution was drafted under Henri Namphy with the Reagan administration's financial support. Although President Reagan significantly reduced U.S. international assistance programs, Haiti was one of the few countries for whom U.S. financial assistance increased. The new constitution repealed many of the preferences and privileges the Catholic Church had under previous constitutions. The ban on vodou was also lifted; vodou became a formal religion in 2003. Unfortunately, the 1987 Constitution, which remains in force today, is not a useful or helpful governing document. The Florida International University College of Law held a symposium on Haiti's constitution where they described it "as a wonderful exercise in theoretical grandiloquence with little relevance to reality." Many Haitians also maintain negative views of the constitution, seeing it as a reactionary document against the successive tyrannies Haiti has experienced. Furthermore, the document was written to make it difficult to amend, effectively making the document static towards the developing nation's needs.

Article 30, § D, entitled *Freedom of Conscience*, states that, "[a]ll religions and faiths shall be freely exercised. Everyone is entitled to profess his religion and practice his faith, provided the exercise of that right does not disturb law and order." This extent of this religious freedom provision is further clarified in Article 30-1, "[n]o one may be compelled to belong to a religious organization or to follow a religious teaching contrary to his convictions." However, the constitution does place a limit on religious freedom in Article 30-2 when it states, "[t]he law establishes the conditions for recognition and practice of religions and faiths." This final provision is vague, and is possible of abuse because it allows the

government to legislate conditions for the free practice of religion. Furthermore, it provides the government with the power to recognize certain religions.

## **Religious Freedom in Haiti**

According to the State Department's 2008 International Religious Freedom report there have been no reports of religious prisoners, forced religious conversions, or societal discrimination on the basis of religious affiliation. However, there are reports that the late Father Gérard Jean-Juste, a liberation theologian, was held under false allegations since 2005 and the charges were not dropped until 2008. The lack of reporting by the Justice Department on Jean-Juste's false internment could be attributed to his vocal opposition to U.S. immigration policy towards third-world nations. Other political prisoners recently released associated with liberation theology would be the founder of Te Legliz, Paul Raymond.

Haiti's traditional vodou practices have been the target of numerous vicious hate speeches by Christian religious leaders such as Tom Barret, Bishop Joel Jeune, and Rev. Jean Berthony Paul. Media outlets such as Radio Metropole in Haiti have also been slandering Vodou practitioners. The CIA's World Factbook lists the Roman Catholic Church as a political pressure group in Haiti, presumably for their involvement in suppressing vodou and liberation theology, both of which the Vatican views unfavorably.

Religious organizations in Haiti are tax exempt. Nevertheless, some religious organizations have been taxed due to corrupted officials. Fortunately, hospitals, schools, clinics, and orphanages organized by missionary groups operate with limited government interference.

## **U.S. Foreign Policy towards Haiti**

The U.S. Government has been a leading contributor for economic aid towards Haiti. Since 2004, the U.S. has provided over \$600 million for improvement of Haiti's infrastructure. Despite this aid, the country remains in a constant state of underdevelopment with high unemployment rates and incomplete basic infrastructure. According to Foreign Policy in Focus, the funds were not allocated towards the people of Haiti, because they were mostly diverted to "prop up friendly dictators to the U.S."<sup>1</sup>

As soon as President George W. Bush's administration came to office, they "froze all multilateral development assistance to Haiti."<sup>2</sup> They also resumed U.S. military occupation of Haiti, similarly to the previous occupation in 1915.

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1 Concannon, Brian and Paul Farmer. "Time to Deal With Haiti" (Washington, DC: Foreign Policy In Focus, April 21, 2009).

2 Sachs, Jeffrey. "From His First Day in Office, Bush was Ousting Aristide," (Los Angeles, CA: Los Angeles Times, March 4, 2004).

## **Conclusion**

While Haiti has had a turbulent history regarding religious freedom, the current government generally protects religious freedom and corresponding human rights. The 1987 Constitution guarantees the free exercise of religion and despite some conditional language, it is generally upheld. Nevertheless, the imprisonment of the late liberation theologian Father Jean-Juste and some social discrimination against vodou practitioners are troubling developments.