

RETHINKING STATELESSNESS FROM WITHIN: DE FACTO STATELESSNESS AND (DYS)FUNCTIONAL CITIZENSHIP IN HAITI

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The concept of statelessness is typically framed as a legalistic issue caused by displacement or migration. This state-focussed lens serves to marginalise the experiences of the de facto stateless and those whose experiences fall outside the legalistic binary of citizen or de jure stateless. This article works to disrupt these tendencies by conceptualising the intra-national issues of ‘unbelonging’ and lack of political agency in Haiti as a phenomenon of de facto statelessness. In doing so, this article reframes the colonial ramifications of Western interventionism in Haiti and their exacerbation of the effects of the 2010 earthquake and loss of voting since 2016 as a crisis of de facto statelessness. Through engagement with the political theory of Hannah Arendt, leveraged alongside the writings of post-colonial Haitian authors, this article recentres the experiences of individuals in Haiti as deeply affected by political disenfranchisement and unbelonging.

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I INTRODUCTION

Discussions of statelessness have been traditionally dominated by legalistic perspectives, primarily emphasising the role of states in adhering to strict legal rules and categorising the stateless based on ‘recognisable [legal] fact’.¹ The prevailing definition of statelessness, enshrined in the 1954 *Convention Relating to the Status of Stateless Persons* defines a stateless individual as someone ‘not considered as a national by any State under the operation of its law’.² While this

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¹ Patrick Hayden and Natasha Saunders, ‘Solidarity at the Margins: Arendt, Refugees, and the Inclusive Politics of World-Making’ in Kei Hiruta (ed), *Arendt on Freedom, Liberation, and Revolution* (Palgrave Macmillan 2019) 172.

² *Convention relating to the Status of Stateless Persons*, opened for signature 28 September 1954, 360 UNTS 117 (entered into force 6 June 1960) art 1.

definition is central to legal frameworks and institutions, this emphasis creates a theoretical gap, marginalising those who, despite possessing legal nationality, effectively cannot access citizenship benefits and political belonging — the de facto stateless. To address this gap, I aim to re-centre the feelings of precarity, the loss of belonging and political rights and the insecurity central to what Hannah Arendt describes as relating to the conditions of a de facto stateless existence,³ utilising the rooted experiences of the Haitian populace as a case study to this effect.

A further lacuna I aim to overcome is that typical depictions of colonised groups place those they depict as ‘between understanding others as transparent and comprehensible, on the one hand, and as inscrutably Other on the other hand’ with theorising more aimed at extraction over human-centric interpretation.⁴ In the Haitian case, racialised conceptions of citizenship have been used by a ‘world dominated by Christianity, capitalism and whiteness’ to paint a ‘supposed incomprehensible nature of Haitian reality’.⁵ In so doing, Haiti’s so-called ‘weird’ history undermines its role as the world’s first post-colonial state and instead paints it with an ‘incomprehensibility’ that enables the continued neglect of Black histories in migration and statelessness studies.⁶ That is, the historical painting of Haiti as an anomaly of untameable catastrophes serves the dual purpose of continuing to promote Western interventionism and moral superiority, while simultaneously neglecting the integration of Haiti and other post-colonial nations into the citizenship canon. This article posits that the Haitian context offers a compelling case study for re-understanding de facto statelessness and for countering the paternalistic narratives that have historically enabled Western interventionism and neglect of Black histories. Following the lead of theorists such as Suzy Castor, Michel-Rolph Trouillot and Alex Dupuy, I will demonstrate how the enduring legacy of colonialism means that social and economic conditions in Haiti violate individual rights, community and security. This precarity and disenfranchisement is demonstrative of de facto statelessness.

To illustrate, I analyse two key events: the socio-political ramifications of the 2010 earthquake, and the ongoing absence of democratic voting in Haiti since 2016. The aftermath of the earthquake reveals the state's inability to provide basic protections and services, while the absence of voting highlights the denial of political participation, a fundamental aspect of citizenship, further eroding the bonds of citizenship. Influential theorists in the field of Haitian studies, such as Dupuy and Robert Fatton, have expressed the impact of the 2010 earthquake on life in Haiti, not just as an environmental event, but as a linchpin moment for Haitian political life.⁷ These events serve as case studies to highlight the Haitian government's ineffectiveness in providing a meaningful relationship with its citizenry.

Ultimately, this article contributes to a more nuanced understanding of statelessness by highlighting the complexities of de facto statelessness within a

³ Hannah Arendt, *The Origins of Totalitarianism* (Penguin Classics 2017) 350.

⁴ Benjamin P Davis, *Choose Your Bearing: Édouard Glissant, Human Rights and Decolonial Ethics* (Edinburgh University Press 2023) 39.

⁵ Fabio Santos, ‘The Necropolitics of Statelessness: Coloniality, Citizenship, and Disposable Lives’ (2025) 29(1) *Citizenship Studies* 17, 19.

⁶ *ibid.*

⁷ Alex Dupuy, ‘Beyond the Earthquake: A Wake-up Call for Haiti’ (2010) 37(3) *Latin American Perspectives* 195, 198 (‘Dupuy, “Beyond the Earthquake”’); Robert Fatton Jr, *Haiti: Trapped in the Outer Periphery* (Lynne Rienner Publishers 2013) 14–5.

specific national context and offering insights into the lived experiences of those who are effectively without citizenship. In thinking about statelessness and the Haitian context in such a manner, I reframe the focus from a lack of state capacity to provide functioning citizenship, to a lack of a functioning relationship between the state and its citizens, placing emphasis on the tangible events impacting Haitians. My framing encourages a more holistic approach to statelessness, expanding the field to develop theoretical frameworks that can better capture the lived realities of stateless people, moving beyond legal definitions to encompass issues of social texture, political agency and the state-citizen relationship.

II BACKGROUND

Haiti's political history must be understood in the context of slavery and settler-colonisation. The longevity of coloniality cannot be understated in the Haitian context. From the 16th to the 19th century, the Caribbean received the majority of the 12.5 million Africans forcibly migrated to the Americas.⁸ The obvious connection between statelessness and slavery during this period and up to the point of emancipation for the enslaved was that by virtue of their enslavement, Haitians of African descent could never achieve citizenship. France even extended voting rights to the non-property-owning white citizens in Haiti, prioritising race over property ownership for voting eligibility and thus citizenship, even before these same reforms came to France or the West.⁹ Post-slavery, the pernicious and enduring nature of the colonial project was encapsulated by the unstable and threatened status of the Haitian republic as independent from the West. Haiti (then named Saint-Domingue) embodied Arendt's notion of 'revolution' — wherein by liberating themselves, a new body politic was formed with the notions of freedom and a new beginning at its core.¹⁰ Freeing itself from Napoleon Bonaparte's restoration of slavery in 1805, the newly formed Haitian state embodied many of the factors Arendt considered essential to a successful post-revolutionary republic: a progressive conceptualisation of citizenship not bound to property rights, a constitution and an insistence upon freedom and dignity.¹¹ The Haitian Revolution, chronically undervalued by academia on revolution and citizenship, is emblematic of true liberation propelled the condition of freedom and the social importance of an event 'led by slaves' in a manner never seen before.¹²

Like many others, Arendt neglected contemporary slave liberation movements as an example of 'revolution' — an unfortunate deficit of her writing, instead focussing on the American and French contexts in her work *On Revolution*. Arendt recognises the role of slavery in allowing the White classes of the United States of America ('US') to achieve 'prosperous conditions',¹³ thus freeing themselves from the cyclicity of poverty and enabling their revolutionary pursuits to be dedicated only to the political realm. She states, '[i]f it were not for the presence of Negro slavery on the American scene, one would be tempted to explain this

⁸ *ibid* 21.

⁹ *ibid* 20.

¹⁰ Hannah Arendt, *On Revolution* (Penguin Group 1965) 29 ('Arendt, *On Revolution*').

¹¹ *ibid* 126; Santos (n 5) 20.

¹² Digna Castañeda Fuertes, 'The Haitian Revolution: Legacy and Actuality' (2010) 2(3–4) *International Journal of Cuban Studies* 286.

¹³ Arendt, *On Revolution* (n 10) 23.

striking aspect exclusively by American prosperity'.¹⁴ However, though Arendt notes the role of slavery in enabling the American colonists to reap the benefit of a poverty-less existence, she is neglectful of the settler-colonial aspect both in the US context, and in such a way that reflects on my Haitian case study. Lucy Benjamin argues that Arendt neglects the structural nature of violence in the specifically *settler-colonial* context: 'as colonialism transitions into settler-colonialism and the invasion becomes a structural event "come to stay", Arendt largely forewent interrogation of the absorption of colonial violence into the settler-state'.¹⁵ That is, Arendt neglects the continuous and structural nature of coloniality that post-colonial theorists have established in today's theoretical landscape, and by extension, the fulfilment of citizenship for colonised groups.¹⁶ Jennifer Gaffney reflects a similar view, stating that the 'Haitian Revolution serves not merely to remind us of the shortcomings of Arendt's discourse on the European legacy of slavery and colonisation'.¹⁷ Gaffney and Benjamin's flagging of this omission by Arendt is a worthy consideration. My use of Arendt then is not whole-hearted, but rather, a tactical application of her notion of de facto statelessness to analyse the breakdown in citizenship fulfilment within Haiti. The value of Arendt's work, to be explored throughout the piece, is to help provide greater theoretical application of the concept of statelessness, and a renewed exploration of Haiti's political conditions as we near ten years since their last democratic election.

For Arendt, the failure of the French and American revolutions' endurance was their inability to preserve the 'revolutionary spirit' and was 'preceded by the failure of the revolution to provide it with a lasting institution' wherein debate, opinion, direct representation and the interests of 'public freedom, public happiness, public spirit' should have been central to a new body politic.¹⁸ Arendt mourned many a nation's failure to properly set up a foundation to enable the continuation of the revolutionary new beginnings. However, Haiti's revolutionary founder (to borrow Arendt's language) Toussaint Louverture, was most comprehensive in his creation of a foundation for the new state. The constitution included provisions for 'property regimes, work, social relations, political institutions, the new form of power, ideology, relations with the Colonial power, the difficulties of autonomy and the threat of neocolonialism'.¹⁹ While Arendt labels a loss of the revolutionary spirit as the cause for revolutionary failure, in the Haitian context, this appears neglectful of the reality for many nations of the Global South whose revolutions failed to persevere, not due to a neglect for the political, but as a result of Western interventionism that ravaged the democratic, republic-forming and public freedom-orientated institutions Arendt heralded. As Suzy Castor expresses, after the 'centenary of [Haiti's] independence (1904), the last vestiges of a more or less stable government in Haiti disappeared',²⁰ and with it, the US intervention and twenty-year occupation of Haiti set into motion a

¹⁴ *ibid* 71.

¹⁵ Lucy Benjamin, *Planetary Politics: Arendt, Anarchy and the Climate Crisis* (Edinburgh University Press 2025) 79.

¹⁶ Arendt, *On Revolution* (n 10) 22.

¹⁷ Jennifer Gaffney, 'Memories of Exclusion: Hannah Arendt and the Haitian Revolution' (2017) 44(6) *Philosophy and Social Criticism* 701, 702.

¹⁸ Arendt, *On Revolution* (n 10) 221, 232.

¹⁹ Castañeda Fuertes (n 12) 294.

²⁰ Suzy Castor, 'The American Occupation of Haiti (1915-34) and the Dominican Republic (1916-24)' (1974) 15(1-2) *The Massachusetts Review* 253, 254.

history of political upheaval, the growth of a landholding upper class and social and political discontent or disorder.²¹ That is, the failure of the Haitian state to see continuity in its political institutions which promoted the fulfilment of citizenship, as I discuss throughout this piece, was not due to a loss of spirit, but was a result of coloniality and interventionism that suppressed any hope of effectuating citizenship.

The colonial project could not accept the prosperity of a post-colonial Haiti, and so a neo-colonial attack on its independence commenced. As Fabios Santos notes, ‘systematic isolation, impoverishment, foreign occupations and interventions in the name of humanitarianism, and the lack of legal migration routes’ is most clearly illustrated in Haiti above any post-colonial state.²² Haiti, the first post-colonial Black republic and once the wealthiest in its region, now experiences political instability rooted in multiple complex causes. In the early 20th century, political assassinations and the routine ousting of leaders marked Haiti’s political landscape. A nearly twenty-year U.S. occupation then precipitated Haiti’s subsequent three-decade dictatorship under François Duvalier and his son, Jean-Claude.²³ Haiti has since experienced ‘multiple foreign interventions, chronic political instability, social unrest, and devastating natural disasters’,²⁴ destabilising the region. Presently, gangs control most of Port-au-Prince, shutting down the city’s airport, gasoline refinery and essential services, leaving residents with limited access to their communities and heightened fear.²⁵ Moreover, the country faces an unemployment rate of nearly 40 percent and is heavily reliant on foreign aid.²⁶ Such circumstances demonstrate a loss of opportunities for reciprocal relationships amongst the citizenry and with government characteristic of de facto statelessness. The downfall of the Haitian Revolution was not a loss of the revolutionary spirit, as Arendt may have contended, but a prolonged attack on Haitian liberation by the West. The outcome of which is that the Haitian populace is left in a position of de facto statelessness. Lindsey Kingston’s notion of functioning citizenship suggests that someone may hold nationality yet lack mutual, beneficial relations with their state or face ostracisation from their community, resulting in de facto statelessness.²⁷ I contend that in the wake of centuries of Western dominance, this has become the existence of those within Haiti.

III CASE STUDY

I apply the theoretical concept of de facto statelessness to the Haitian populace, using a case study approach to explore and develop its nuances in a real-world context. A case study involves a ‘detailed examination of an aspect of a historical

²¹ *ibid* 263–4.

²² Santos (n 5) 21.

²³ Diana Roy and Rocio Cara Labrador, ‘Haiti’s Troubled Path to Development’, *Council on Foreign Relations* (Web Page, 2024) <<https://www.cfr.org/backgrounder/haitis-troubled-path-development#chapter-title-0-1>>, archived at <perma.cc/3YFS-GXZF>.

²⁴ *ibid*.

²⁵ Ernesto Sagás, ‘Haiti Is in Crisis, but Foreign Intervention Comes with an Ugly Past’ *The Conversation* (online, 19 March 2024) <<https://theconversation.com/haiti-is-in-crisis-but-foreign-intervention-comes-with-an-ugly-past-225941>>, archived at <perma.cc/TJL3-SXS3>.

²⁶ Tatiana Wah, ‘Engaging the Haitian Diaspora’ (2013) 9 (Spring) *The Cairo Review of Global Affairs* 56.

²⁷ Lindsey Kingston, *Fully Human: Personhood, Citizenship, and Rights* (Oxford University Press 2019).

episode' to assess theories that 'may be generalisable to other events',²⁸ as I hope to achieve with the concept of de facto statelessness within Haiti. This approach allows for a detailed examination of this historical and ongoing episode, asserting that the application of de facto statelessness to my core events, the 2010 earthquake and democratic breakdown post-2016, is demonstrative of a loss of community, voting and citizenship fulfilment. I contend that the theoretical concept of de facto statelessness provides a human-centric framework for understanding the profound disempowerment and lack of citizenship experienced by the Haitian populace.

In 1804, Haitians were one of the first to successfully liberate themselves, yet centuries of colonial revivals, Western interventions and a stark class system wherein Haiti's capitalist class expropriate the resources of the nation in favour of Western capital, restricting the rural classes from social mobility means citizenship expression is effectively curtailed.²⁹ The foundations for the political and economic conditions which hollow out the expression of citizenship have long been explored by Haitian academics. Fatton interrogates how exclusion and precarity are reproduced within Haiti, most especially post-2010 earthquake in his book, *Haiti: Trapped in the Outer Periphery*.³⁰ To be referenced further throughout this article, Fatton explores how elite capture and socio-political inequality have created a system where formal citizenship is degraded by informal power structures and eventuating in a system of state trusteeship.³¹ Fatton explores many of the phenomena impacting modern Haiti; he found that 'syndromes of political dysfunctionality ranging from fragile domestic security, continued constitutional uncertainties, foreign military usurpation of national sovereignty, and total disconnect between international perceptions and local understandings of the nation's realities' are demonstrative of a 'typical outer peripheral state'.³² Fatton's approach in his book focusses on the internal structures that have led to external trusteeship.³³ These factors provide the structural foundations for the conditions of de facto statelessness I am exploring. With the effect of colonialism and systems of state trusteeship in mind, I explore how the 2010 earthquake represents a key event in current degradation of citizenship fulfilment in Haiti.

Writing in light of the Cold War, Dupuy's *Haiti in the New World Order: The Limits of the Democratic Revolution* speaks similarly to how the precarity within Haiti is shaped by international donors, political instability and systemic dysfunctions, thereby undermining effective democratic participation and state accountability.³⁴ Beginning Chapter One, Dupuy highlights Father Jean-Bertrand Aristide's 'landslide' electoral victory, followed by his eventual overthrow, thus becoming the 'twenty-eighth coup d'état since Haiti gained its independence in 1804 and the fifth since the emerging popular movement impelled the military to overthrow the hereditary Duvalier dictatorship in 1986'.³⁵ Illustrative of the

²⁸ Andrew Bennett and Alexander L George, *Case Studies and Theory Development in the Social Sciences* (MIT Press 2005) 5.

²⁹ Patrick Sylvain, 'Review: Haiti: Trapped in the Outer Periphery. By Robert Fatton Jr.' (2025) 20(2) *Journal of Haitian Studies* 227, 230.

³⁰ Fatton (n 7).

³¹ *ibid* 58.

³² *ibid* 155.

³³ See, eg, *ibid* 59.

³⁴ Alex Dupuy, *Haiti in the New World Order: The Limits of the Democratic Revolution* (Routledge, 2nd ed, 2018) ch 1, 27, 106 ('Dupuy, *Haiti in the New World Order*').

³⁵ *ibid* 1.

rotating door of leaders within the nation, Dupuy's research also explores how systemic dysfunctions render political agency hollow; though formal political structures are technically present (eg, voting and governance), they are practically inaccessible, mapping onto the concept of de facto statelessness I seek to apply as descriptive of the lack of functioning citizenship in Haiti. Almost 30 years later, Dupuy argues in a 2010 article that the devastating effects of the 2010 earthquake were exacerbated by a long history of governmental neglect and detrimental economic policies imposed by foreign powers seeking to expropriate Haitian people and environments.³⁶ For Fatton and Dupuy alike, the current phenomena in Haiti that I explore through this article are not a result of chance, but rather a series of intentional actions which drive a dysfunctional state-citizen relationship, fragmenting the expression of community, voting and belonging central to what it means to be a citizen.³⁷

The case for this article focuses on Haitians' experiences in the 21st century, particularly following the 2010 earthquake and last election in 2016, the effects of which I contend represent de facto statelessness. I chose to examine intra-Haitian experiences to showcase that de facto statelessness involves not only displacement but in situ 'unbelonging'. Unbelonging is typically perceived as antithetical to a life amongst one's birthplace. However, Kristy Belton argues that precarity, psychosocial displacement and a lack of community are emblematic of statelessness, even for those in the 'communities within which they were born and raised'.³⁸ Following Fatton and Dupuy's directive, I focus on the 2010 earthquake for its significance in suppressing Haitian community, civic freedoms and the crumbling of infrastructure that I contend fundamentally restricts one's citizenship to the point of de facto statelessness. The earthquake is by no means a standalone event, but rather the culmination of the 'abysmal conditions' in Haiti curated by the nation's wealthy elite, and the bloc of foreign nations and economic actors whose interests in Haiti diminished citizenship fulfilment in Haiti by and for Haitians.³⁹ By analysing the earthquake's impact through the lens of de facto statelessness, this article reveals how a singular catastrophic event can expose and intensify longstanding systemic issues that suppress effective citizenship.

I then speak to the lack of democratic voting in Haiti since 2016 as the latest iteration of a lack of political expression for the populace. As many scholars such as Castor, Fatton and Dupuy have pointed out, Haiti is highly familiar with a revolving door of leaders, democratic or not, placed at the helm of the nation.⁴⁰ Yet, with this latest stint of democratic suppression, it appears no end is near in sight. Though Western powers have engaged in their routine condemnation of the lack of democratic leadership in Haiti, in the past nations such as the US have taken a heavy-handed approach, including the Clinton administration's military-led reinstatement of Father Aristide in 1994.⁴¹ Presently, the response to the current situation in Haiti is more middling. For example, a 2024 article from the US Council on Foreign Relations frame the issue of Haitian living standards

³⁶ Dupuy, 'Beyond the Earthquake' (n 7).

³⁷ See, eg, Fatton (n 7) 79; Dupuy, 'Beyond the Earthquake' (n 7) 196–7.

³⁸ Kristy A Belton, 'Rooted Displacement: The Paradox of Belonging among Stateless People' (2016) 19(8) *Citizenship Studies* 907, 917.

³⁹ Dupuy, 'Beyond the Earthquake' (n 7) 196.

⁴⁰ See, eg, Castor (n 20) 254–6; Fatton (n 7) 142; Dupuy, *Haiti in the New World Order* (n 34) 52.

⁴¹ Dupuy, *Haiti in the New World Order* (n 34) 1.

as embodying a need for ‘development’.⁴² Professor Nicolas Forsans in his piece entitled *How Haiti Became a Failed State*, spotlights Haiti’s turbulent history from the Duvalier regime to the earthquake, neglecting US interventionism and centuries of colonial history in his discussion.⁴³ He cites the gangs ruling over Port-au-Prince as the reason for the turbulence, and then quickly states that democratic elections are necessary to reform the nation before ending the piece.⁴⁴ Such disproportionate analysis frames the crisis of Haiti as an anomaly in need of development, reform and investment. It is also scored with an undertone of why Haiti should endeavour to become more Western, rather than an ethos of the fulfilment of Haitian individuals’ rights as citizens. For those in Haiti, notions of a failed state, third world poverty and a crisis of care by academics, governments and legal experts have framed Haiti as indefinitely ‘Other’ and engenders the top-down approach that restricts action on the conditions in Haiti to governments, major donors and development organisations. Where the Western bloc has sought to extricate themselves from the messiness of the current state of affairs in Haiti, examination of the lack of voting in Haiti since 2016 becomes more important than ever. Such an approach allows for an in-depth discussion into the historical factors, political instability and social issues, past and present, which contribute to de facto statelessness in the Haitian context. By focussing on the in situ unbelonging in Haiti, this piece provides a more nuanced understanding of how de facto statelessness can manifest within a person’s own country, even when legal citizenship is present, thereby enriching the theoretical concept itself. As this article foregrounds the Haitian public’s concerns in this matter, potential solutions become more than a paternalistic discussion of what it means to enjoy community, safety and effectuate a political existence.

IV THE VALUE OF A DE FACTO STATELESSNESS LENS

Theorists on statelessness have largely paid attention to the concept of legal or de jure statelessness, excluding those experiencing de facto statelessness. Current theorising overemphasises this group who lose ‘citizenship as a matter of recognisable fact’ and are without legal nationality.⁴⁵ Yet, this overlooks the category of the de facto stateless — those *effectively* without citizenship and political belonging.⁴⁶ Although it may be sensible for legal frameworks to adopt this approach, the encroachment of this binary system in wider statelessness discussions is troubling; a trend has arisen in statelessness theory where it is primarily conceived as a legal status rather than a lived experience. The rigidity of this concept is wholly unreflective of the experience of those enduring statelessness, and it does not allow for theoretical reflectivity that enables analysis outside of the binary of citizen versus stateless. This piece aims to circumvent this by instead focussing on the complexities of de facto statelessness amongst the rooted communities within Haiti.

⁴² See Roy and Labrador (n 23).

⁴³ Nicolas Forsans, ‘How Haiti Became a Failed State’, *The Conversation* (online, 11 March 2024) <<https://theconversation.com/how-haiti-became-a-failed-state-225116>>, archived at <perma.cc/QW2S-5PC2>.

⁴⁴ *ibid.*

⁴⁵ Serena Parekh, *Refugees and the Ethics of Forced Displacement* (Routledge 2016) 84.

⁴⁶ *ibid.*

The categorisation of individuals into discrete identities — stateless, refugee or citizen — led to the neglect of accounts outside these categories. In fact, even where studies aim to make a connection between social and political conditions that warrant the language of de facto statelessness, the term is avoided. For instance, a 2025 article on the Windrush Scandal by Eve Hayes de Kalaf spotlights the precarity of the Windrush generation, the threats to their right to remain and the discrimination they experienced.⁴⁷ Hayes de Kalaf uses the language of ‘statelessness-like’ to describe the subjects of her study,⁴⁸ despite their strong similarities to the affective harms of Arendt’s first stage of de facto statelessness I outline below. Contrasting Hayes de Kalaf, this piece directly confronts the disjuncture between legal nationality and effective citizenship, insisting upon the usage of the phrase de facto stateless as central to my aims. Conceptualising the struggles of the Haitian populace through this lens demonstrates that formal nationality can exist in name only when protection, rights and belonging are fractured, as is starkly illustrated through the cases of the 2010 earthquake and the loss of democratic voting since 2016. By leveraging Arendt’s de facto statelessness, I resist the epistemic injustice that arises within statelessness studies when we neglect those who do not fit within existing binaries. The value of this intervention is that Haiti represents not a metaphorical or ‘statelessness-like’ experience, but a structurally reproduced condition of exclusion equivalent in many respects to statelessness proper. I aim to replicate Arendt’s demand that citizenship is not a simple possessive, but something that must be continually and emphatically partaken in, the possibility of which is only existent where there is that citizen-community-state connection that I will argue Haiti is deprived of at present.

The de facto stateless were emphasised in the writings of a foundational theorist in this field, Arendt. Specifically, her seminal work *The Origins of Totalitarianism* worked to reflect the harms of a lack of functioning citizenship and meaningful political belonging.⁴⁹ It is those who are ‘defined by their exclusion’ who are foregrounded by Arendt.⁵⁰ The conditions felt by these groups in the Haitian context are at the focus of my analysis and typically are left uncaptured by legalistic viewpoints. In *Origins of Totalitarianism*, Arendt outlines the stages of statelessness in three parts. First, displaced peoples lose their homes, and their ‘entire social texture’.⁵¹ The second stage is a loss of government protection and legal status leading to rightlessness.⁵² The third and final stage is the displaced peoples’ loss of identity.⁵³ While my focus deviates in that it does not necessarily include a loss of home or migratory context that Arendt writes from, this wording alludes to a view of statelessness as a series of conditions or an evolution rather than a static, statist label. Other theorists have adopted a similar approach to envisioning citizenship. Rhoda Howard-Hassman explores the ‘slippery concept

⁴⁷ Eve Hayes de Kalaf, ‘Reframing the Windrush Scandal as an International Statelessness Crisis’ (2025) 6(2) *Statelessness and Citizenship Review* 179.

⁴⁸ *ibid* 184.

⁴⁹ Arendt, *The Origins of Totalitarianism* (n 3) 349; Parekh (n 45) 84.

⁵⁰ Serena Parekh, ‘Beyond the Ethics of Admission: Stateless People, Refugee Camps and Moral Obligations’ (2013) 40(7) *Philosophy and Social Criticism* 645, 654.

⁵¹ Arendt, *The Origins of Totalitarianism* (n 3) 384.

⁵² *ibid* 384–5.

⁵³ *ibid* 385–6.

of citizenship' by presenting a spectrum.⁵⁴ At the top are those who 'enjoy both de jure and de facto citizenship in wealthy, democratic countries' while those at the bottom endure the loss of de jure and de facto citizenship.⁵⁵ Many who find themselves typically excluded from legal definitions of statelessness, such as 'refugees, asylum seekers, economic immigrants, even naturalized citizens who faced the threat of denaturalization in times of emergency' can be included in considerations of de facto statelessness.⁵⁶

Arendt rebukes the limited legal definition and argues for a more expansive notion of citizenship which encapsulates feelings of belonging, rootedness and community. This encapsulates the loss of one's home, their 'social texture', their 'distinct place in the world' and finally the ability to establish a new community or to assimilate into an existing one.⁵⁷ Statelessness to Arendt is thus equally, if not more so, a conception of what it is to be without citizenship as it is to experience particular negative conditions.⁵⁸ At its core, statelessness to Arendt is an experience of absence and loss: loss of public power, place and community. As Jennifer Gaffney brilliantly summarises: 'Arendt thus conceives of citizenship not as a static and indefinitely expandable legal status, but rather as a lived and embodied activity that promises a home in the world for human beings insofar as they act in concert to remember and appropriate anew the political traditions that they have inherited'.⁵⁹ It is clear that Arendt's notion of citizenship and her view of statelessness are by no means minimal in scope — a status, which from her own lived experience, she understood to be all encapsulating, impacting one's ontological sense of self, engagement with others and one's ability to see oneself reflected in the public realm.

This dynamic, broader description of statelessness is essential to creating a better comprehension of statelessness and subsequently enabling better redress of this phenomenon. Currently, there is a dominant bottom-up approach to framing statelessness within academia and policymakers. We are presented with the idea of 'smoothing out the relationship between individuals and sovereign states'⁶⁰ as the solution, foregoing the necessary analysis of how intra-community relationships and security are impacted by de facto statelessness. Commonly, supposed solutions to the conditions in Haiti relate to governmental actions, aid and interference, neglecting the interpersonal nature of these conditions. Though, the use of a de facto stateless lens must be utilised carefully to not replicate the paternalistic dynamic of previous studies both on the stateless and on Haiti alike, I do contend the use of the language of de facto statelessness has fruitful outcomes for the Haitian context. As Trouillot has noted when applying an ethos of mysticism and singularity to Haiti that 'we are also being told, in varying degrees, that [Haiti] is unnatural, erratic, and therefore unexplainable. We are being told

⁵⁴ Rhoda E Howard-Hassmann, 'Introduction: The Human Right to Citizenship' in Rhoda E Howard-Hassman and Margaret Walton-Roberts (eds), *The Human Right to Citizenship: A Slippery Concept* (University of Pennsylvania Press 2015) 5.

⁵⁵ *ibid.*

⁵⁶ Ayten Gündoğdu, *Rightlessness in an Age of Rights: Arendt and the Precarious Status of Non-Citizens* (Oxford University Press 2015) 2.

⁵⁷ Arendt, *The Origins of Totalitarianism* (n 3) 384.

⁵⁸ *ibid* 387; Hannah Arendt, 'We Refugees' in Marc Robinson (ed), *Altogether Elsewhere: Writers on Exile* (Faber and Faber 1994) 110.

⁵⁹ Gaffney (n 17) 701–2.

⁶⁰ Allison Petrozziello, 'Statelessness as a Product of Slippery Statecraft: A Global Governance View of Current Causes, Actors, and Debates' (2019) 1(1) *Statelessness and Citizenship Review* 136, 137.

that Haiti is so special that modes of investigation applicable to other societies are not relevant here'.⁶¹ Framing in terms of de facto statelessness as the antithesis for functioning citizenship allows us to consider groups previously neglected by statelessness studies and while working to overcoming this 'Othering' of the Haitian experience.

Per Arendtian theorist Steve Buckler, only after bettering our account of phenomena in a way that is attuned to the human-centric and political dimensions can we change the outcome.⁶² He states, 'to reflect upon the political in its fully contingent and circumstantial character, and thereby to understand better the potentialities and pitfalls of our ability to act in ways that are spontaneous, and which can make a difference to our world'.⁶³ For those in Haiti, a more reflective account of their lived reality is the first step for creating better outcomes. Without such understanding, any developments would continue to be unresponsive to the specific injuries of this community. Such is the value of this article, where Haiti's history of ill-fated interventions demands reinvigorated political theorising on the conditions within the nation. With Arendt's conception of statelessness in mind — one which emphasises the innately relational, emotional and disruptive effect that a loss of home, community and rights has on the individual — a more human-centric lens can be curated for the sake of examining the Haitian context in the 21st century.

A *Rooted Displacement*

Arendt's concept of statelessness, for which she is primarily describing the de facto stateless, is clearly a human-centric and emotional concept. She leverages concepts of loneliness, isolation and loss of community as central to her lived understanding of what it means to be stateless. To help further these intangible concerns of Arendt, I make use of Belton's concept of 'rooted displacement'⁶⁴ as a further indicator of de facto statelessness in addition to the loss of public rights and spaces alongside the loss of community felt by those in Haiti as a case study. The canonical image of a stateless person is culturally migratory, transient and an outsider. Certainly, there are many stateless people whose outsider status is a result of movement between one country to another. However, in situ statelessness, referring to those who are without nationality in the country of their birth or long-term residence, represents a large portion of those who are stateless.⁶⁵

Belton defines rooted displacement as the paradoxical condition in which stateless individuals remain physically rooted in their country of birth yet experience a form of forced displacement due to their unbelonging and lack of legal recognition.⁶⁶ Unlike refugees or asylum seekers who cross borders, stateless people are immobile but are still 'displaced in situ' — excluded from the rights,

⁶¹ Michel-Rolph Trouillot, 'The Odd and the Ordinary: Haiti, the Caribbean and the World' (2020) 17 *Vibrant: Virtual Brazilian Anthropology* 1, 3.

⁶² Steve Buckler, *Hannah Arendt and Political Theory: Challenging the Tradition* (Edinburgh University Press, 1st ed, 2011).

⁶³ *ibid* 5.

⁶⁴ See Belton (n 38).

⁶⁵ Caia Vliks, 'Understanding Statelessness: What Are the Different Contexts of Statelessness in Europe', *European Network on Statelessness* (Web Page, 14 September 2017) <<https://www.statelessness.eu/updates/blog/understanding-statelessness-what-are-different-contexts-statelessness-europe>>, archived <perma.cc/6WUN-PZ9B>.

⁶⁶ Belton (n 38) 907–8.

identity and opportunities that citizenship provides.⁶⁷ Those experiencing rooted displacement are tethered to their country of residence, but endure the harms we tend to associate with displacement or migratory contexts. That is, they remain ‘physically rooted in the countries of their birth’ while simultaneously experiencing a loss of access to basic rights, economic hardships and restricted life opportunities, and feelings of limbo or unbelonging.⁶⁸

For my purposes, I utilise Belton’s concept of rooted displacement as a further indicator of de facto statelessness specific to the non-migratory context. Per the first reason listed, even when thoughtfully incorporating Black histories into migration, citizenship and statelessness studies, theorising can often replicate issues of overemphasising legalistic over de facto statelessness. For instance, Belton herself foregrounds those who are not legally recognised in the place of their birth, referencing those of Haitian descent in the Dominican Republic and the Bahamas.⁶⁹ Similarly, Fabios Santos, in his 2025 article *The Necropolitics of Statelessness* that I reference throughout this article, also specifically focusses on the 1937 Parsley Massacre and the 2013 La Sentencia ruling which forced many individuals of Haitian descent in the Dominican Republic into statelessness or potential de jure statelessness.⁷⁰ Though both are incredibly useful for exploring the Haitian experience abroad, we learn more about how Haitians abroad may experience rooted displacement and statelessness, and little about the experiences of those within Haiti itself in relation to these concepts. This is why I lean on Belton’s notion of rooted displacement, as though it can potentially replicate the dominant focus on de jure statelessness, it is useful in providing a perspective outside the scope of migration as the precipitating event for statelessness. With Belton’s exploration of rooted displacement in mind, the harms of community loss, isolation and a loss of rights, all while being located in one’s place of birth can help form a more nuanced image of de facto stateless I situate amongst Haiti’s populace. Like those without citizenship cited by Belton, I argue that the precarious existence of the everyday citizen in Haiti represents an apt example of rooted displacement, and thus de facto statelessness. By taking the concept of rooted displacement and utilising it in the intra-Haitian context, value is added to the existing frameworks by providing a refreshed understanding of the civil and public denigration of life within Haiti as a result of centuries of coloniality.

B *Functioning Citizenship*

Since, per Arendt, the de facto stateless are without effective citizenship,⁷¹ it is necessary to define what effective citizenship entails. There has been ongoing debate on whether to frame citizenship as either a ‘legal status, as a system of rights, as a form of political activity, or as a form of identity and solidarity’,⁷² or some combination of these. Citizenship to Arendt meant an execution of one’s will in the public realm, actively and continuously effectuated to enable the creation of

⁶⁷ *ibid* 916–7 (emphasis in original).

⁶⁸ *ibid* 908.

⁶⁹ *ibid* 907.

⁷⁰ Santos (n 5).

⁷¹ Arendt, *The Origins of Totalitarianism* (n 3) 374–5.

⁷² Linda Bosniak, ‘Citizenship Denationalized (The State of Citizenship Symposium)’ (2000) 7(2) *Indiana Journal of Global Legal Studies* 447, 452.

a uniquely individualised and political identity.⁷³ In this piece, I rely on Kingston's notion of 'functioning citizenship' to help identify and label this within the Haitian context. In her book *Fully Human*, Kingston introduces functioning citizenship, which requires 'active and mutually beneficial relationship[s]' between states and individuals and is inclusive of people enjoying membership of a political community.⁷⁴ This view of citizenship entails both functioning engagement with the government and demands rights to place and purpose to be enjoyed amongst members of a community.⁷⁵ This represents a contrast from the legalistic focus on de jure statelessness which underscores the relationship between the individual and the state and which is manifested by a formal, legal status-like citizenship.⁷⁶ For instance, Kingston describes Indigenous peoples in the US lacking 'active and mutually beneficial relationship[s] with the state' as de facto stateless,⁷⁷ as I argue is the case for most Haitians today. While these experiences may be neglected by traditional studies on statelessness, a move towards foregrounding the de facto stateless and its manifestations can mitigate this epistemic injustice. Much like how Kingston's construct of the Indigenous American as lacking functioning citizenship conceptualising Haitians in this manner also represents a turn in both our understanding of statelessness and the specific experiences of disadvantaged peoples.

A move towards the fulfilment of functioning citizenship and understanding the denial of its conditions can work to expand our conceptualisation of statelessness. I do so by following an ethos of integrating both top-down or 'from above' (state-based) and bottom-up or 'from below' (community-centred) perspectives on belonging and precarity, as advocated for by theorists such as Alessandra Benedicty.⁷⁸ In doing so, I re-centre political theorising from top-down discussions by governments to a community-oriented perspective of the needs of the people who are directly impacted by the effects of what I consider to be de facto statelessness in Haiti.

In Haiti, there is a liminality of status experienced by the populace. While they may possess technical, legal Haitian nationality, it becomes distressingly clear through examination of their circumstances that they do not possess the benefits of functioning citizenship. Patrick Sylvain, reviewing Fatton's 2014 book, states that Haiti's existing order is one where 'corruption, vengeance, and banditry [have] become normative', such that 'political membership in a fair and transparent society is not possible. The inherited condition of unfairness that one experiences is a given within a structural process of bringing rights-bearing subjects into nothingness'.⁷⁹ This confronting description illustrates what those in Haiti are stuck in-between: as though they are citizens of Haiti, as Sylvain notes, their rights-bearing status and political membership's existence are ineffective or non-functioning.⁸⁰ Where de jure statelessness or refugeehood are ill-fitting

⁷³ Hannah Arendt, *The Human Condition* (University of Chicago Press, 2nd ed, 1998) ('Arendt, *The Human Condition*').

⁷⁴ Kingston (n 27) 6, citing Lindsey N Kingston, 'Statelessness as a Lack of Functioning Citizenship' (2014) 19(1-2) *Tilburg Law Review* 127, 127.

⁷⁵ *ibid.*

⁷⁶ *ibid* 19, 29.

⁷⁷ *ibid* 19.

⁷⁸ Alessandra Benedicty, 'Questions We Are Asking: Hegel, Agamben, Dayan, Trouillot, Mbembe, and Haitian Studies' (2013) 19(1) *Journal of Haitian Studies* 6, 11.

⁷⁹ Sylvain (n 29) 230.

⁸⁰ *ibid* 231.

characterisations, I argue that de facto statelessness is a useful conceptualisation of their experiences. By comparing de facto statelessness with intra-Haitian experiences from 2010 onwards, I aim to link context and theory to deepen our perspective on statelessness. In deepening our understanding of de facto statelessness in this context, this article aims to contribute to the development of theoretical frameworks that can better capture the lived realities of stateless people, moving beyond legal definitions to encompass issues of social texture, political agency and the state-citizen relationship.

V THE EARTHQUAKE

In January 2010, an earthquake struck Haiti, resulting in approximately 200,000 deaths and massive internal and outgoing displacement.⁸¹ Any state may struggle to recover from natural hazards, whether they be floods, earthquakes or fires. Yet, Jane McAdam argues that a state's socio-economic foundations determine whether a 'merely hazardous encounter' becomes a crisis that tests 'individual and community resilience'.⁸² From an environmental perspective, 'poor urban planning[,] substandard infrastructure and housing[,] large coastal populations[,] and widespread dependence on subsistence farming' left Haiti vulnerable to severe environmental impacts.⁸³ Further, Haiti's longstanding political vulnerability and discontent (as described above) left it unprepared to mitigate the social effects of the earthquake on their citizenry. As Diana Thomaz states, 'Haiti has endured over two centuries of complex political strife, successive coups d'état, authoritarian governments and international interventions that have left it with weak institutions, largely unresponsive to the needs of the population'.⁸⁴ The earthquake only amplified these weaknesses. In fact, Fatton makes the argument in his 2014 book that the earthquake represents the moment where Haiti fell into the 'virtual "trusteeship" of the international community'.⁸⁵ Though he does not leverage the phrasing of de facto statelessness as I do, he does express how the 'very idea of citizenship' becomes 'moot' with the loss of territorial sovereignty experienced by Haiti, both historically and most acutely post-earthquake.⁸⁶

The experience of those impacted by the 2010 earthquake illustrates that rights such as education, movement and healthcare only exist if the state is willing and able to provide them — whether in Haiti or abroad. Through this, it demonstrates that the lack of functioning citizenship not only harms Haitians in situ, but also as they endeavour to move abroad. This is another reason to consider the effects of the 2010 earthquake through the lens of de facto statelessness: the international community vehemently denied refugee or de jure stateless status to the victims of earthquake, as they retained legal Haitian nationality.⁸⁷ Despite lacking a home, documentation, rights protections, work or security, earthquake victims were

⁸¹ Lara Gautier et al, 'What Links Can Be Made from Narratives of Migration and Self-Perceived Health? A Qualitative Study with Haitian Migrants Settling in Quebec after the 2010 Haiti Earthquake' [2020] (1–2) *Journal of Migration and Health* 1, 1.

⁸² Jane McAdam, 'The Problem of "Crisis Migration"' (2013) 19(3) *Australian Journal of Human Rights* 7, 12.

⁸³ Roy and Labrador (n 23).

⁸⁴ Diana Thomaz, 'Post-Disaster Haitian Migration' (2013) 43 (May) *Forced Migration Review* 35.

⁸⁵ Fatton (n 7) vii.

⁸⁶ *ibid* 58.

⁸⁷ Thomaz (n 84) 35.

apparently not vulnerable enough to qualify for asylum. Simultaneously, their legal citizenship status prevented them from being recognised as technically stateless.⁸⁸ Brazilian authorities argued that displaced Haitians were not eligible for refugee status as they could not demonstrate a threat ‘to their lives, security or freedom’.⁸⁹ Further, nations such as Mexico, France and the US made definitive efforts to mitigate the flow of migrants through efforts such as blockades, border closures and quotas.⁹⁰ In each instance, foreign states had absolute authority to curtail access to their states and the rights this entails for Haitians seeking security and a new home. In an ironic turn, their status as the de facto stateless resulting from the earthquake further served to exclude them from any meaningful security or protections. Globally, the ambiguity imposed by possessing legal nationality but lacking functioning citizenship, as was the Haitian experience post-earthquake, imposes further deficiencies in the treatment of the de facto stateless. As I describe in this section, the living and public circumstances in Haiti post-earthquake became untenable with the fulfilment of functioning citizenship. Yet, the international community utilised the categorisations of stateless, citizen and refugee to prevent Haitian migration into their own states.

Internally, the earthquake devastated government, work and communal infrastructure,⁹¹ which in turn undermined Haitians’ access to truly functioning citizenship. The ‘fragility of the Haitian state’ left the government unable to meet citizens’ basic needs for subsistence.⁹² Government services such as housing and infrastructure, welfare and general ordinances were no longer accessible to those in need.⁹³ Yet, the disaster’s negative impact on communities suggests a situation of de facto statelessness. While there was an initial, massive influx of humanitarian aid in the country, those affected by the earthquake did not achieve a sense of state support and belonging pivotal to our sense of true, functioning citizenship, under Kingston’s terminology. To further illustrate, authors often compare the impact of the 2010 Haitian earthquake with the 2011 Japanese tsunami. While both disasters were environmentally devastating, Japan’s coordinated government response, relatively better infrastructure and access to resources allowed them to avoid the ‘civil unrest and looting’ that followed the Haitian disaster.⁹⁴ Per Fatton, the 2010 earthquake ‘brought into sharp focus Haiti’s desperate social and economic conditions’.⁹⁵ This revealed the hollow structures of governance and the fragility of formal citizenship already present in the nation, while subsequently exacerbating these problems to the point of exposing de facto statelessness manifest within Haiti.

The earthquake exacerbated Haiti’s crisis of infrastructure faults. Generally, governments do not oversee housing in Haiti, not even with the level of permits,

⁸⁸ Carol A Batchelor, ‘Statelessness and the Problem of Resolving Nationality Status’ (1998) 10(1–2) *International Journal of Refugee Law* 156, 172–4.

⁸⁹ Thomaz (n 84) 35.

⁹⁰ *ibid*; Sanjula Weerasinghe, ‘Overview of UNHCR Study, “In Harm’s Way: International Protection in the Context of Nexus Dynamics between Conflict or Violence and Disaster or Climate Change”’ (2019) 31(1) *International Journal of Refugee Law* 149, 152.

⁹¹ Thomaz (n 84) 35.

⁹² *ibid*.

⁹³ Dupuy, ‘Beyond the Earthquake’ (n 7) 196.

⁹⁴ ‘Contrasting Levels of Resilience: The Cases of Haiti and Japan’, *Vision of Humanity* (Web Page, 6 October 2021) <<https://www.visionofhumanity.org/contrasting-levels-of-resilience-the-cases-of-haiti-and-japan/>>, archived at <perma.cc/9BBD-L35B>.

⁹⁵ Fatton (n 7) 227.

zoning and governmental rigmarole which one may be accustomed to in Western nations. In fact, most housing in Haiti is constructed by individual households.⁹⁶ Such a system may reflect empowering dynamics of community, connection and family, if not for the fact that the lack of government assistance and adequate oversight created ‘generally poor infrastructure and inferior housing construction’ that left Haiti particularly vulnerable to natural hazards, such as floods or earthquakes.⁹⁷ The 2010 earthquake damaged more than 300,000 homes, permanently destroying 100,000 of these homes and forcing 1.3 million Haitians into temporary shelters.⁹⁸ Tent cities, once a ‘stop-gap measure’ post-earthquake,⁹⁹ have become indicative of a greater trend in deficient infrastructure in Haiti. The lack of government involvement pre-earthquake continued post-earthquake, with the government failing to engage fruitfully in rubble removal to allow homes to be rebuilt, even blocking necessary equipment at the Dominican Republic border.¹⁰⁰ Devastation at this scale was not by chance or environmental unluckiness. Dupuy states that geologists had been warning the government about the possibility of an earthquake and the subsequent harms that one would pose to the already vulnerable state of the nation’s infrastructure for years.¹⁰¹ Yet no preventative actions were taken and when an earthquake finally did happen, the people of Haiti were forced to rely on the charity of the international community.¹⁰² The instability caused by a lack of adequate, stable housing negatively impacts Haitian individuals’ senses of belonging, community and citizenship fulfilment. Without a stable sense of place, and the enduring precarity associated with a lack of housing, the Haitian populace’s ability to engage politically becomes severely hindered. Without the fulfilment of base human needs, movement to the desired political activities described by Arendt — voting and running for public office —¹⁰³ or other political acts such as protest, engaging with (ideally elected) politicians, writing to constituents or political art, becomes inaccessible. Post-earthquake, struggling to fulfil the cyclical needs of survival dominates day-to-day existence, meaning partaking in citizenship fulfilment falls by the wayside.

This is demonstrated in a 2015 qualitative study investigating the impact of social inequality and environmental factors on Haitians’ decisions to migrate to Canada. This study by Amina Mezdour, Luisa Veronis and Robert McLeman works to understand ‘how social inequality within Haiti intersects with environmental conditions’ to motivate internal and international migration.¹⁰⁴ Many participants reiterated the theme of poor living conditions and infrastructure in both regional and metropolitan Haiti.¹⁰⁵ Unfortunately, ‘overcrowding, air

⁹⁶ Keith Crane et al, ‘Chapter Seven: Housing and Infrastructure’ in *Building a More Resilient Haitian State* (RAND Corporation 2010) 87, 88.

⁹⁷ Dupuy, ‘Beyond the Earthquake’ (n 7) 196.

⁹⁸ Crane (n 96) 89.

⁹⁹ *ibid* 87.

¹⁰⁰ *ibid* 89.

¹⁰¹ Dupuy, ‘Beyond the Earthquake’ (n 7) 196.

¹⁰² *ibid* 195.

¹⁰³ Hannah Arendt, ‘Reflections on Little Rock’ in Peter Baehr (ed), *The Portable Hannah Arendt* (Penguin Books 2003) 237 (‘Arendt, “Reflections on Little Rock”’).

¹⁰⁴ Amina Mezdour, Luisa Veronis and Robert McLeman, ‘Environmental Influences on Haitian Migration to Canada and Connections to Social Inequality: Evidence from Ottawa-Gatineau and Montreal’ in Robert McLeman, Jeanette Schade and Thomas Faist (eds), *Environmental Migration and Social Inequality* (Springer International Publishing 2015) 103, 104.

¹⁰⁵ *ibid* 107, 109.

pollution, and flooding’ alongside the ‘absence of any semblance of urban planning’ that enabled housing destruction during the earthquake have made living conditions unbearable for participants.¹⁰⁶ Basic necessities are scarce in these areas, and inhabitants are particularly vulnerable to future environmental disasters or the effects of Haiti’s yearly flooding season.¹⁰⁷ Akin to how the lack of voting in Haiti (explored further in Part VI) means citizens were unable to demand better environmental and deforestation policy, the infrastructure and environmental conditions of Haiti have a compounding effect. Citizens without voting rights are unable to demand better environmental protection and infrastructure, and the results of these bad policies — housing insecurity, tent cities, deforestation, unemployment and more — in turn, mitigate one’s ability to engage politically. Not just a matter of physical necessities, these conditions impact negatively upon individuals’ ability to effectuate their citizenship rights. While unable to access basic necessities, movement to exercise political rights becomes all the more inaccessible.

I refer to this quote from Arendt’s *Essays in Understanding* to provide theoretical grounding to this effect:

Just as the inhabitants of an apartment house form a group on the basis of their sharing this particular building, so we, on the strength of the political and legal institutions that provide our general living together with all the normal channels of communication, become a social group, a society, a people, a nation and so forth. And just as the apartment dwellers will become isolated from each other if for some reason their building is taken away from them, so the collapse of our institutions—the ever-increasing political and physical homelessness and spiritual and social rootlessness—is the one gigantic mass destiny of our time in which we all participate, though to very differing degrees of intensity and misery.¹⁰⁸

This excerpt provides a useful analogy for our discussion of the impact of the earthquake and infrastructure in Haiti and their connections to de facto statelessness. Here, Arendt presents through the image of an apartment building the argument that shared institutions are what move people from individuals who simply share a space, to a collective entity: ‘a people, a nation’.¹⁰⁹ Just as an apartment building provides the physical foundations for a shared community, infrastructure (both physical and institutional) enables participation in society. In Haiti, the near total collapse of government institutions following centuries of colonial disenfranchisement was accelerated by environmental degradation post-earthquake and culminated in the loss of voting from 2016. Consequently, many Haitians have become functionally disconnected from the building blocks necessary to construct a meaningful political community, and without functional physical infrastructure or political institutions, are cut off from public life. This fosters a sense of rooted displacement, forcing Haitians into a state of ‘liminality’ and ‘inability to choose to belong to the communities of their birth’ as there is no such space for these communities to engage meaningfully.¹¹⁰ This imposes a sense of what Arendt would describe as a ‘political and physical homelessness’ on the

¹⁰⁶ *ibid* 109.

¹⁰⁷ *ibid*; Crane (n 96) 87.

¹⁰⁸ Hannah Arendt, *Essays in Understanding, 1930-1954: Formation, Exile, and Totalitarianism*, ed Jerome Kohn (Schocken Books, 6th ed, 1994) 357 (‘Arendt, “*Essays in Understanding, 1930-1954*”).

¹⁰⁹ *ibid*.

¹¹⁰ Belton (n 38) 908.

Haitian populace, limiting participation and access to physical and political rights.¹¹¹ With Arendt's above excerpt in mind, theorising can help us understand that though possessing legal nationality and inhabiting the same spaces, the Haitian populace is deprived of functioning citizenship by virtue of the loss of the social and political infrastructure that supports citizenship's effectuation.

This piece makes the important contribution of framing the failures of Haiti's government not as a simple issue of a state that must move towards the Westphalian model, but as a series of conditions that restrict the meaningful fulfilment of one's citizenship. It would be a misnomer to suggest that anyone living in such conditions is empowered to fully enact the activities of citizenship. Citizenship is both access to rights and the active participation in their engagement. Per Arendt's famous dictum that citizenship entails the 'right to have rights',¹¹² it is not enough to say that one *has* citizenship in the possessive sense. Rather, one must *have* citizenship as if it were a verb; something to be enacted, performed and enjoyed. Examining Haiti through this perspective shifts focus from top-down conceptions of governance to underscoring how the degradation of physical and communal infrastructure restricts Haitians from meaningful political and legal belonging. Viewing Haiti through this lens reveals how even people who are technically citizens can be rendered effectively stateless within their own country when the structures governing their existence do not serve to protect their rights to place, purpose and political engagement. Returning to the Arendt quote analysed above, without the foundations for a communal, political existence, Haitians are not empowered to become members of a group (as citizens are to be members of a nation) and are thus *de facto* stateless.

As Benedicty states, the routine political turmoil in Haiti, followed by the shocks of natural hazards means those in the state identify with a 'dismal quasi-non-citizenship' caused by living in a constant 'state of exception'.¹¹³ In fact, when a population is forced to exist within a constant emergency response scenario, their right to a place is violated both in 'the sense of geographic location as well as belonging'.¹¹⁴ The Haitian case exemplifies this issue. While earthquake victims 'theoretically' have the rights we associate with nationality, in practice, their Haitian nationality did little to ensure the effective exercise of such rights, therefore leaving earthquake victims *de facto* stateless.¹¹⁵ The experience of Haitians post-2010 earthquake adheres to the definition of *de facto* statelessness, both in a top-down and a bottom-up perspective. That is, the inability of the Haitian government to effectively mitigate the administrative harms of the disaster represent a disconnect between citizen and state, while the sense of instability and precarity this imposed on its people encapsulates a lack of security inherent to our belonging within a state. These phenomena and the precarity they invoke imply a sense of *de facto* statelessness in Haiti that we must work to better understand in future research.

¹¹¹ Arendt, *Essays in Understanding, 1930-1954* (n 108) 357.

¹¹² Arendt, *The Origins of Totalitarianism* (n 3) 388.

¹¹³ Benedicty (n 78) 17.

¹¹⁴ Kingston (n 27) 9.

¹¹⁵ Thomaz (n 84) 36; Batchelor (n 88) 168.

VI VOTING AND GOVERNANCE

The primary element of the (dys)functional citizenship I highlight in Haiti is the restriction of democratic voting. While such failures in Haiti are typically avoided in theoretical discussion as weird, incomprehensible or with a veil of ‘Otherness’, I believe more nuanced framing can be achieved through de facto statelessness.¹¹⁶ As Kate Darling contends, ‘[s]tates are the intended mechanism through which individuals access the rights conferred by international human rights law’,¹¹⁷ with voting being one such right conferred under the *Universal Declaration of Human Rights*.¹¹⁸ Yet, the *right* to vote typically depends on nationality status and is not an entitlement but a privilege limited to citizens. It is understood that the de jure stateless are without the right to vote by virtue of their lack of legal personhood, but I use this same framing to bring those without voting rights and thus without functioning citizenship into our conception of de facto statelessness. Per Howard-Hassman, those lower along the slippery slope of citizenship are those ‘whose de jure citizenship rights are undermined by de facto restrictions and those whose citizenship is in poverty-stricken and/or undemocratic countries that cannot or will not protect them.’¹¹⁹ In Haiti, this notion is clearly reflected — where one may be a citizen but not have the right to vote, we are forced to accept that even those with legal belonging may fall lower on Howard-Hassman’s slippery slope of citizenship. Having been denied access to free and fair democratic voting and within limited reliable infrastructure, the Haitian populace becomes cut off from hard citizenship rights and thus exposed to conditions of de facto statelessness.

The 1987 *Constitution of Haiti* (‘1987 Constitution’) calls for routine free and fair elections.¹²⁰ Though imperfect, much like Arendt’s descriptions of the foundations of the US *Constitution*, the 1987 *Constitution* had the aim of ‘prevent[ing] the rise of personal rule’, with a distinct ‘anti-dictatorial charter’.¹²¹ The nation first facilitated a democratic transition of power in the 1990s.¹²² Since voting began in Haiti, election legitimacy and authority have declined due to corruption, administrative failures and rising political tensions.¹²³ Most recently, Haiti held presidential elections in 2015, which were later annulled and attempted again in 2016. The 2016 presidential election faced several delays and fraud allegations before ‘newcomer’ Jovenel Moïse was elected with 55.67% of the vote.¹²⁴ Like past elections, Moïse’s inauguration does not necessarily indicate a functional voting system, with approximately ten percent of ballots being

¹¹⁶ See ‘Otherness’ as described in Edward Said, *Orientalism* (Pantheon Books 1978). See also Benedicty (n 78) 20; Trouillot (n 61).

¹¹⁷ Kate Darling, ‘Protection of Stateless Persons in International Asylum and Refugee Law’ (2009) 21(4) *International Journal of Refugee Law* 742, 743.

¹¹⁸ *Universal Declaration of Human Rights*, GA Res 217A (III), UN Doc A/810 (10 December 1948) art 21(3).

¹¹⁹ Howard-Hassmann (n 54) 6.

¹²⁰ *La Constitution de la République d’Haïti du Mars 1987* [The March 1987 Constitution of the Republic of Haiti] (Haiti) art 52.1(c); Sue Nelson, ‘Haitian Elections and the Aftermath’ in Krishna Kumar (ed), *Postconflict Elections, Democratization, and International Assistance* (Lynne Rienner Publishers 1998) 73.

¹²¹ Fatton (n 7) 141.

¹²² Nelson (n 120) 71.

¹²³ Sagás (n 25).

¹²⁴ Roy and Labrador (n 23); Reuters, ‘Haiti: Violent Protests Erupt over Presidential Election Result’, *The Guardian* (online, 29 November 2016) <<https://www.theguardian.com/world/2016/nov/29/haiti-presidential-election-result-protest-jovenel-moise>>, archived at <perma.cc/VCL5-B84T>.

discarded due to ‘irregularities’ and 600,000 votes cast in a nation of ten million.¹²⁵ Moïse’s reign saw economic crises, gang violence and corruption allegations, culminating in the postponement of the 2017 election and his assassination in 2021.¹²⁶ Since Moïse’s death, several acting presidents have presided, yet Haiti has held no elections since 2016. In fact, it is upsettingly reminiscent of Castor’s description of pre-US occupation of Haiti, which was preceded by ‘four ephemeral governments’ between 1913 and 1915 wherein ‘[n]o government was thereafter able to maintain itself in power for even a year’.¹²⁷ Castor, in her reflections on this period, usefully highlights the historical roots of Haiti’s current crisis in terms of imperialist occupation and the undermining of state structures,¹²⁸ which feeds into the breakdown of functioning citizenship today. That is, the democratic breakdown in Haiti that I frame as indicative of de facto statelessness post-2016 is a direct result of the coloniality that has defined the nation’s history.

Without the functional right to vote, I argue that the Haitian populace thusly falls into the de facto stateless. Arendt contended that the key to a fruitful existence as a political citizen is rooted in individuals’ ability to engage in the public realm.¹²⁹ For her, the two key rights for realising the potential of every citizen are the ability to vote and run for office.¹³⁰ Fruitful political participation is core to individuals’ fulfilment of their citizenship and national identity. According to Arendt, voting and running for office are the activities that effectuate one’s existence as a citizen as they enact ‘plurality, diversity, and mutual limitations’ that define politics proper.¹³¹ The right to vote is a ‘powerful symbol of inclusion’ and embodies Arendtian political engagement, because through voting, a government consisting of a ‘plurality of voices’ is created and individuals are able to engage in ‘political participation and public action’.¹³² By voting, individuals have an opportunity to shape their government to reflect themselves, representing a tangible instance of one’s actions being considered effective and significant.¹³³ Arendt argues that without such rights, individuals can never fully enter ‘the political realm and [be] fully emancipated as a citizen’.¹³⁴

Losing the right to vote deprives individuals of the ‘social contract that undergirds the tenets of most “democratic” nation-states’ and limits their impact on the communities within which they are situated.¹³⁵ Unable to influence the world around them, individuals without the right to vote endure a precarious existence, bound to the decisions of others, without a governmental avenue available to them to express their political interests. Like those who experience migratory statelessness and lose the protection of their home country, I argue that those in Haiti mirror this condition, in that they did not experience this protection

¹²⁵ *ibid.*

¹²⁶ Roy and Labrador (n 23).

¹²⁷ Castor (n 20) 254.

¹²⁸ *ibid* 266.

¹²⁹ Jan Klabbers, ‘Possible Islands of Predictability: The Legal Thought of Hannah Arendt’ (2007) 20(1) *Leiden Journal of International Law* 1, 18.

¹³⁰ Arendt, ‘Reflections on Little Rock’ (n 103) 237.

¹³¹ *ibid* 237; Hannah Arendt, *Men in Dark Times* (Harcourt Brace and Company 1968) 81.

¹³² Alison Kesby, *The Right to Have Rights: Citizenship, Humanity, and International Law* (Oxford University Press 2012) 10, 57.

¹³³ *ibid.*

¹³⁴ Arendt, *The Human Condition* (n 73) 217.

¹³⁵ Benedicty (n 78) 12.

to begin with. Through the loss of voting since 2016, their inability to assert their identity leaves them politically disenfranchised and unrecognised in their place of residence. As such, I contend that though Haitians possess the legal status of citizenship, such disenfranchisement and removal of their ability to ‘be self-determining agents’ is adherent with Belton’s concept of rooted displacement.¹³⁶ Both the de facto and de jure stateless lose Arendt’s prescribed ‘only truly political rights’ (the right to vote and to run for office) because they either lack a national identity or cannot meaningfully effectuate one.¹³⁷ As such, where Haitians exist without these rights, they also move towards the condition of de facto statelessness.

Moreover, even when a Haitian official is democratically elected, the conditions of paternalism and ‘virtual trusteeship’ — to borrow Fatton’s language — mean that the governance in Haiti has historically been dominated by Western interests. Where the physical landscape and economy are both dominated by international interests, those in power must remain in the favour of Western powers in order to maintain their positions. As Fatton expresses, ‘[i]n the post-Duvalier era’, leaders such as ‘Jean-Bertrand Aristide, Raoul Cédras, Gérard Latortue, René Préval, and Martelly rose to, remained in, and fell from positions of power depending on their respective relations with France, Canada, and the United States’.¹³⁸ Those with power often reflected a position of corruption, wherein ‘[o]ccupying the position of prime minister was ultimately a matter of selling and buying parliamentary votes’.¹³⁹ Consequently, Haitians have historically been restricted from the essential right to see themselves reflected politically or shape the governments whose legislation shapes their existence. Such a loss of protection, even in the place of one’s birth, draws a parallel to those with migratory statelessness who lose their home country. This lack of protection, where lost or never present, enforces Belton’s idea of being displaced in situ.¹⁴⁰ For Belton, rooted displacement involves an exclusion from the rights, identity and opportunities that only citizenship can provide; the loss of voting rights directly exemplifies this exclusion. Santos confirms this further through his comment that those post-colonial states that dare to ‘break with former colonial powers’ subsequently experience ‘systematic isolation, impoverishment, foreign occupations and interventions in the name of humanitarianism, and the lack of legal migration routes’.¹⁴¹ This is reflected in Haiti post-earthquake, where those affected were barred from stateless or refugee status by the West. More recently, the Trump administration announced that it intends to terminate the Temporary Protected Status for Haiti, exposing Haitians in the US to a loss of legal protections and work authorisation under the claim that it is now safe for the more than 500,000 Haitian migrants in the US to return home.¹⁴² During the same period, the entry of Haitian nationals to the US has been suspended as part of a new travel

¹³⁶ See Belton (n 38) 917.

¹³⁷ Klabbers (n 129) 3.

¹³⁸ Fatton (n 7) 169.

¹³⁹ *ibid* 121.

¹⁴⁰ Belton (n 38).

¹⁴¹ Santos (n 5) 21.

¹⁴² ‘US Terminates Protections for Haitians despite Deteriorating Conditions - USCRI’ *US Committee for Refugees and Immigrants* (online, July 2025) <<https://refugees.org/u-s-terminates-protections-for-haitians-despite-deteriorating-conditions/>>, archived at <perma.cc/5V8Q-Q9CZ>.

ban, citing Haiti's lack of centralised authority and law enforcement.¹⁴³ Putting the hypocrisy of the disparate justifications for these policies aside, the suspension demonstrates a punitive approach to the current conditions in Haiti, while simultaneously neglecting the US' substantial role in creating the conditions preceding these crises of effective citizenship loss.

With no democratically elected officials in the entire state,¹⁴⁴ Haitians effectively live in de facto statelessness. Benedicty notes that from the Haitian revolution in 1804 to the present, Haitians 'have had very little possibility of exercising political agency', a form of ongoing political disenfranchisement.¹⁴⁵ Where Haitians could express their political will through voting, the fulfilment of this core element of citizenship was repressed by Western coloniality. Now, in a state where no elections have taken place since 2016, though its citizens are situated within the boundaries of the Haitian state, the deficiency in effectuating functioning citizenship (eg, via voting) means Haitians are effectively stateless. Belton reaffirms this notion, arguing that statelessness arises from a lack of self-determining agency, and that 'practices of citizenship denial,' often in one's country of birth, play a central role in this condition.¹⁴⁶ Voting becomes central to citizenship, both as a means for the state to fulfil its obligations and as means for individuals to shape their world and exercise agency. Thus, the deprivation of this right embodies a core facet of de facto statelessness. The loss of rights associated with formal legal status, such as voting, reflect a greater crisis of belonging and political inefficacy I contend is demonstrative of de facto statelessness. The inability to vote incurs further violence, such as subjugation to substandard living conditions, restricted access to work, education, healthcare and more. Statelessness (whether de facto or de jure) strips individuals of their capacity to 'live, act and contribute to public life', and as discussed above, for those displaced by the 2010 earthquake, their existence becomes bound to the charity of their host state.¹⁴⁷

A *Extractivism and Deforestation as Failed Governance*

The impact of a lack of voting rights in Haiti is further illustrated in the considerable disconnect between the interests of the Haitian populace and the enacted policies of the Haitian government. Such a disconnect illustrates the ineffectiveness of citizenship for the Haitian populace and the under-fulfilment of duties by the government as related to community, rights fulfilment and access to basic services. Similar to Dupuy's claim that geologists warned the Haitian government of the possibility of an earthquake and its harms to no avail, a further recurring theme in the failure of the government is deforestation.

Today, deforestation in Haiti is motivated by charcoal production, which produces conditions of soil erosion, land degradation and reduction in land

¹⁴³ Dany Pierre, 'Trump Expands Travel Ban, Restricting Entry from Haiti and 18 Other Countries', *The Haitian Times* (online, 5 June 2025) <<https://haitiantimes.com/2025/06/05/trump-travel-ban-2025-haiti/>>, archived at <perma.cc/XG24-MBGJ>.

¹⁴⁴ Philippe de Bard, 'In Haiti, as Elsewhere, Elections Alone Are Not the Answer' *Foreign Policy* (online, 12 March 2024) <<https://foreignpolicy.com/2024/03/12/haiti-gang-violence-elections-ariel-henry-resignation/>>, archived at <perma.cc/9EW9-FMG4>.

¹⁴⁵ Benedicty (n 78) 12.

¹⁴⁶ Belton (n 38) 917.

¹⁴⁷ Kesby (n 132) 59.

arability. Currently, less than 1% of Haiti's primary forest remains, as charcoal production, 'slash-and-burn agriculture' and building materials are prioritised over the livelihood of rural populations.¹⁴⁸ These conditions, in turn, create food insecurity, poverty, harms to the agriculture industry, and take away opportunities for long-term employment. Returning to Mezdour, Veronis, and McLeman's study cited above, participants in rural areas expressed that it is untenable to sustain a livelihood, wage and community under these environmental conditions and thusly move to urban centres of Haiti.¹⁴⁹ This is emblematic of Belton's view that rooted displacement entails a lack of the 'right to choose to belong to the *specific* communities within which they were born and raised.'¹⁵⁰ Individuals in these communities may prefer to remain in their rural homes, but are unable to fulfil their rights to place and purpose as a consequence of the environmental and social degradation caused by deforestation. Without access to gainful employment, secure homes, and with risks of floods and erosion, their role as a citizen is in turn harmed. This is representative of an array of factors contributing to the negative conditions of Haiti's rural population. Participants noted that these problems appear environmental on the surface but could be attributed to their government. One participant stated: '[o]ur environmental problem in Haiti is above all a conjuncture of bad political decisions'. Another lamented that: '[i]t is clear that the [Haitian] government is not doing its job ... It is poverty that pushes people to cut wood to make charcoal because the government is not there for them'.¹⁵¹ Many various policy decisions (or lack thereof) were attributed to the deforestation; each can be connected to the Haitian government's actions and their lack of recognition for the population's interests.

These modern policy failings can in turn can be linked to the extractive and exploitative origins of Haiti's natural resource industries. Though environmental phenomena such as hurricanes are common in the Caribbean, vulnerability to these events is owed to the 'violence, coercion and exploitation' that began with the introduction of slavery and plantation agricultural systems to the region.¹⁵² As Oscar Webber argues, across the 19th century, the response to environmental disaster by the colonial white population prioritised limiting the freedom of movement of the African-Caribbean population, to prevent their migration to urban centres and enforcing a return to the status quo for the 'sites and rhythms of labor' to ensure the continued economic productivity of the plantations.¹⁵³ In the following century, during the US occupation, 'American companies strengthened their hold over all aspects of economic life ... they gained exclusive control of mines, railroads, the larger cane, coffee, cacao, fig, and banana plantations, breweries, and other consumer products as well as the production of electricity and port construction'.¹⁵⁴ This process of 'extractivism' continued even after the end

¹⁴⁸ Jeremy Hance, 'Amid Conflict and Chaos, a Reforestation Project Surges Ahead in Haiti' *Mongabay* (online, 10 November 2022) <<https://news.mongabay.com/2022/11/amid-conflict-and-chaos-a-reforestation-project-surges-ahead-in-haiti/>>, archived at <perma.cc/PN2J-XKWF>.

¹⁴⁹ Mezdour, Veronis and McLeman (n 104) 107.

¹⁵⁰ Belton (n 38) 917 (emphasis in original).

¹⁵¹ Mezdour, Veronis and McLeman (n 104) 108.

¹⁵² Rasmus Christensen, 'Review: Negotiating Relief and Freedom: Responses to Disaster in the British Caribbean, 1812–1907 by Oscar Webber' (2025) 99(1–2) *New West Indian Guide* 167.

¹⁵³ Oscar Webber, 'An Intolerance of Idleness: British Disaster "Relief" in the Caribbean 1831–1907' (2019) 93(3–4) *New West Indian Guide* 201, 206.

¹⁵⁴ Castor (n 20) 261.

of the occupation. As discussed above, Haitian governments are forced to pander to the Western bloc, with economic production prioritised at the expense of the environment being one such example. In so doing, a trade-off is made that prioritises extractivism over and above the rights of Haitians to see their own interests reflected by their governments.

To return to the issue of voting, without meaningful access to the democratic process, Haitians are unable to fruitfully assert their disagreement with these decisions. In Mezdour, Veronis and McLeman's study, issues cited included 'decades of weak government'.¹⁵⁵ Others specifically connected this to the lack of policy, infrastructure and assistance for farmers whose livelihood is negatively impacted by the environmental conditions associated with deforestation. Similarly, these farmers are unable to compete with 'tariff-free food imports' from Western nations.¹⁵⁶ Consequently, the combined effect of internal environmental conditions and international competition is that rural workers are forced migrate from their homes.¹⁵⁷ While much of Haiti's deforestation crisis can be attributed to indecisiveness on policy, the conditions listed above of international competition, weak governance and poor policymaking remain connected in their shared tendency to disregard the rights of Haitians. The effect of this lack of access to voting means Haitians are subjected to policy decisions that restrict their livelihood. Thus, the governmental decisions which led to this environmental crisis in Haiti are not only administrative missteps but are emblematic of a crisis of de facto statelessness. Though technically protected by their legal nationality, Haitian individuals are forced to endure poverty, food insecurity, job loss, forced internal or external migration, environmental events such as floods and landslides and more in relation to the inefficacy of their government. Unable to assert themselves politically, the Haitian citizen becomes de facto stateless in much the same way as a refugee may in a foreign country.

VII CONCLUSION

Discussions of statelessness have traditionally been dominated by legalistic frameworks, primarily focusing on those who lack legal nationality. This article, in contrast, has demonstrated the value of shifting focus to the concept of de facto statelessness in the Haitian context. The application of de facto statelessness as a conceptual lens provides epistemic justice to those individuals who, despite possessing legal citizenship, are effectively without the rights, protections and sense of community or belonging that citizenship fulfilment provides. By examining the Haitian experiences through the case studies of the 2010 earthquake and the ongoing absence of democratic voting since 2016, this article contributes to the field by centring an understudied regional context and advances crucial conversations in statelessness and citizenship studies. I have worked to offer a grounded, human-centric framework for understanding the conditions in Haiti as demonstrative of de facto statelessness (utilising the theories of Arendt, Kingston and Belton), while remaining attuned to the colonial and extractive histories which preceded these conditions (utilising Haitian scholars such as Castor, Fatton and Dupuy).

¹⁵⁵ Mezdour, Veronis and McLeman (n 104) 108.

¹⁵⁶ *ibid.*

¹⁵⁷ *ibid* 107.

Analysis of the earthquake's aftermath reveals that a lack of functioning citizenship is not merely a legal problem, but a lived reality of in situ unbelonging. As we learn from Arendt, Haitians are unable to embody what it means to be a citizen despite possessing legal citizenship: just like tenants without an apartment building, they lack the physical spaces and functional institutions that we rely on in everyday life. Those in Haiti are cut off from many of the core functions of citizenship: a fruitful connection between communities and the state, political and voting rights, security, functional infrastructure and governance that reflects the needs of the population. Without such rights, the Haitian populace is cut off from the benefits of citizenship.

Following the loss of democratic voting since 2016, Haitians have lost access to Arendt's two pre-eminent political rights: the right to vote and to run for office. Without such access, Haiti's so-called citizenry is unable to see themselves represented in public spaces and have policies that reflect their ideals. Haitians must endure policies that curtail their enjoyment of their environment. Through the exploration of the 2010 earthquake and the loss of voting, I demonstrate how de facto statelessness is experienced in a post-colonial context.

I contend that not only do the experiences of those within Haiti meet the characteristics of de facto statelessness, but examining this case study through such a lens provides invaluable theoretical representation. This approach, of examining a particular context for the sake of theoretical application, though rich in depth, may not be generalisable without a similar re-engagement of a case study by other researchers. Further, by situating my analysis in one national context and two events, the full complexity of de facto statelessness as a global phenomenon, as Arendt understood it to be, may be left uncaptured. Further research could explore the long-term consequences of de facto statelessness on individuals and communities, as well as investigate effective strategies for addressing this issue in Haiti and similar contexts.