COMPLEXITIES OF IMAGINING HAITI: A STUDY OF NATIONAL CONSTITUTIONS, 1801–1807

By Julia Gaffield

The first four national constitutions in Haiti (1801–1807) reflect a complex and contested dialogue among different factions, each trying to define Haiti in their own cultural terms. These constitutions emerged within the context of power struggles between old and new elites who viewed a unified sense of nation as an important goal following Haiti’s independence. While studies of early nineteenth century Haiti have emphasized the significance of colour in dividing a perceived mixed-race ancient libres caste from a black nouveau libres caste, the early constitutions point to a much more turbulent period during which political leaders struggled to define an “imagined community” that could underpin the development of the colony as an independent nation.

The first constitution in 1801 was an attempt by the revolutionary leader, Toussaint Louverture, along with President Borgela and others, to enhance sovereignty while also maintaining links to France. Following the declaration of independence on January 1, 1804, the 1805 Constitution was written under the rule of Jean Jacques Dessalines and signed by Dessalines and Henri Christophe (later King of the northern half of Haiti) along with other supporters. Alexandre Petion, who ruled the Republic covering the south and west portions of Haiti, largely wrote the 1806 Constitution, and it was co-signed by numerous others. Then, the 1807 Constitution was created under the direction of Henri Christophe and applied to the northern portion of Haiti.

Researchers have characteristically studied the constitutions between 1801 and 1807 primarily as legal documents. Their studies have analyzed the major obstacles facing political leaders during this revolutionary period including the limits they faced in applying each constitution across Haiti. This research approach has been most successfully and comprehensively used by Sibylle Fischer who has focused on the question of citizenship in Haiti’s early constitutions by examining “the extraordinary challenges the new state was facing in a world where slaveholding was the rule and where colonialist designs were just beginning to extend into Africa and Asia.” But these early constitutions reveal more than failed attempts to exercise state power if we consider them as efforts to express what Benedict Anderson has called an ‘imagined community’. Anderson’s insight can be built upon to suggest that the constitutions were not only legal documents, but also ideological texts that articulated national projects. Indeed, systematic study of the articles in each constitution reveals successive attempts to unify the country internally and to secure its place on the international stage. In significantly different ways, these attempts manifested themselves in the changing definitions of Haiti as a homogeneous symbol of black power and freedom. The multiple articulations of the claim of common racial identification were designed to realize Haiti’s declared cultural and political distinctiveness in a tumultuous historical context.
The previous studies of early Haitian society have focused on internal social divisions, mainly concerning colour conflicts and class hierarchies, in a rapidly changing demographic environment. The scholarly emphasis on divisions is certainly supported by contemporary efforts to describe the Haitian population during the late eighteenth and early nineteenth centuries when leaders were attempting to articulate a common identity for Haiti. For example, *Histoire Politique et Statistique de L'île D'Hayti, Saint Domingue*, written in 1826 by Sir James Barskett and M. Placide-Justin, offers population statistics from 1789 and 1826 that are organized into two sets of racialized categories. According to Barskett and Placide-Justin, the population of Haiti was 523,803 in 1789 and was divided into three categories:

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blancs [Whites]</td>
<td>30,826</td>
</tr>
<tr>
<td>Mulâtres et noirs libres [Mulatto's and Free Blacks]</td>
<td>27,548</td>
</tr>
<tr>
<td>Esclaves [Slaves]</td>
<td>465,429</td>
</tr>
</tbody>
</table>

The population figures they give for 1826 had changed dramatically:

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Noirs [Blacks]</td>
<td>605,500</td>
</tr>
<tr>
<td>Gens de couleur de tout degré [People of colour of all shades]</td>
<td>84,000</td>
</tr>
<tr>
<td>Blancs, qui ont droit de cité dans l'île [Whites, who have the right to live on the island]</td>
<td>500</td>
</tr>
<tr>
<td>Étrangers domiciliés [Resident Foreigners]</td>
<td>10,000</td>
</tr>
</tbody>
</table>

Based on historical evidence such as this description of Haitian society, scholars have emphasized the racially fragmented character of Haiti, both before and after the revolution. But such evidence also reveals two important features of the demographic context within which the early constitutions were written: first, the changing categories that were chosen in order to analyze the population (and also the order in which they are presented), and, second, the starkly different numbers attributed to each group. The changing definitions of population categories in Haiti illustrate the difficulty of reconciling internal divisions with the long standing ambitions of defining people by skin colour. In addition, the numbers attributed to each group by Barskett and Placide-Justin describe dramatic population movement, most notably the number of white people in the country (as will be discussed in more detail with respect to the 1805 constitution). Thus, both changing population perception and population movement produced complex and diverse settings in which leaders wrote the first Haitian constitutions.

While scholars have argued that the racism of colonial Saint Domingue was not continued in the same form in independent Haiti, they have concluded that much of the established socio-racial hierarchy was transferred into Haitian society. Researchers have contrasted these divisions with a national discourse that was linked closely with the image of the unification and empowerment of blacks. For example, David Nicholls has studied the tension in Haiti that developed as a result of the contrast between the enduring conflicts based on perceived colour differences and a racialized national identity. Nicholls attributes the tension between division and unity to the difference between perceptions of colour and
race. Colour differences were based on “phenotypical or somatic characteristics, specifically to skin colour, type of hair, nose and lips.”97 In contrast to the definitions of colour, Nicholls explores “race” as a separate phenomenon. Racial unity was also defined in social terms but this definition held more general criteria of what was “black” and what was not. Nicholls argues that the racial prejudice non-whites experienced in colonial Saint Domingue allowed for a sense of unity that crossed colour distinctions. From this perspective, the racism of whites in Saint Domingue caused “almost all black and coloured Haitians [to accept] the fact that they belonged to the black or African race—that biologically they shared a common descent.”98 Much of Nicholl’s research focuses on the distinctions between black (noir) and mulatto (mulatre or jaune) writers. These categories, he acknowledges, are socially constructed and “there are indeed occasions on which Haitians themselves cannot agree on whether to call a man black or mulatto.”99

The claim that colour differences were influenced by perceptions of physical differences can also be seen in Michel-Rolph Trouillot’s more recent book Haiti: State Against Nation, although Trouillot argues that colour definitions surpassed physical characteristics to include social characteristics as well. He concludes that “colour categories embrace characteristics that go far beyond the perceived phenotype into the field of social relation. These can include income, social origin, level of formal education, customary behavior, ties of kinship or marriage, and other characteristics.”10 Trouillot uses both colour relationships within Haiti as well as international racism to explain the trends of militarism and dependency in Haiti since independence. He attempts to explain the “reality” of colour and power hierarchies by studying social rather than political relationships, and he connects colour and race interactions with internal and international economic policies and prejudices. In doing so, he warns of the dangers of exclusively studying Haiti’s political history. Trouillot argues that, “the chronic instability of Haitian political life, as manifested in the rhythm of political succession, numerous constitutional crises, and recurring armed conflicts is so obvious that Haitian and foreign observers alike have tended to inflate the role of politics in shaping the course of the country’s history. They often see the states of historical evolution in terms of changes of regime to a degree that masks underlying continuities.”11

By emphasizing the importance of understanding the lived social, economic and political relationships of everyday life in early Haiti, scholars such as Nicholls and Trouillot have paid little attention to the details of the early constitutional efforts. However, in recent years, an increasing number of researchers working on other times and places have focused on the need to examine the ways in which elites and those in power imagined society and how they believed it ought to be. Their work suggests that the state’s role in shaping the self and collective awareness of its inhabitants is very complex. Such research efforts have been most significantly inspired by Benedict Anderson who, in the early 1980s, analyzed the idea of the nation or nationalism in conceptual terms. Anderson argued that the nation is “an imagined political community—and imagined as both inherently limited and sovereign.” From his perspective, “it is imagined because the members of even the smallest nation will never know most of their
fellow-members, meet them, or even hear them, yet in the minds of each lives the image of their communion.”12 But how do these connections come to bear such importance? Who provided the basis for the development of the connections? Anderson argues for the importance of elite and bourgeois writing as the key force in the development of nationalism based on an imagined community. Although Anderson does not systematically examine how constitutions can attempt to create “imagined communities,” his research points to the significant role of the state in the creation of national networks and in connecting a sense of self with a sense of nation. Anderson also argues for the importance of the state in newly created or independent nations. He says that “the model of official nationalism assumes its relevance alone all at the moment when revolutionaries successfully take control of the state, and are for the first time in a position to use the power of the state in pursuit of their vision.”13

Anderson’s analysis of the tension between conflict and unity within an imagined community can be applied to independent Haiti. While both Nicholls and Trouillot argue that internal colour hierarchies created cultural and political divisions in everyday life in Haiti, Anderson’s insights suggest that leaders must make efforts to construct a “nation” that transcends internal divisions if it is to be a successful “imagined community.” In this view, the nation “is imagined as a community because regardless of the actual inequality and exploitation that may prevail in each, the nation is always conceived as a deep, horizontal comradeship.”14 Anderson’s argument implies that a national sense of self, different from that of colonial Saint Domingue, would have been a significant priority and challenge as Haiti gained independence. In this sense, an important historical question arises: How did political leaders attempt to meet this challenge as a top priority in framing Haiti’s early constitutions?

In order to address this question, the recent work of Rogers Brubaker and Frederick Cooper offers valuable ways to conceptualize the notion of self and collective awareness and to move beyond the problematic nature of the concept of “identity”. In their article “Beyond Identity,” Brubaker and Cooper discuss the multiple uses and definitions of the term by replacing “identity” with more precise expressions. In a number of their definitions, they associate “identity” with state institutions as a way to focus on the complex reciprocal relationship that the state and the individual have in the formation of nations. For example, Brubaker and Cooper argue that:

Understood as a specifically collective phenomenon, ‘identity’ denotes a fundamental and consequential sameness among members of a group or category. This may be understood objectively (as a sameness ‘in itself’) or subjectively (as an experience, felt, of perceived sameness). This sameness is expected to manifest itself in solidarity, in shared dispositions or consciousness, or in collective action. This usage is found especially in literature on social movements; on gender; and on race, ethnicity, and nationalism. In this usage, the line between ‘identity’ as a category of analysis and as a category of practice is often blurred.15

What is important in this definition for the study of constitutions is the role of “identity” as a category of practice. From this perspective, state institutions have the ability to influence the way in which a population imagines itself as a nation through official documents such as national constitutions.
In light of their critique of "identity," Brubaker and Cooper also propose alternative words that serve as more specific tools of analysis. One of these words, "identification," is directly relevant to the study of national constitutions. They define the concept of "identification" as both a creation of the self and, at the same time, something an external 'other' can impose. Self-identification and external identification are not necessarily separate and often influence the direction of the other. An important factor in external identification is the state.16 What is important in their definition is the combination of both physical and symbolic force in the power of the state. The state is able to influence, though not control, the terms upon which a 'nation' is defined.

Research on the complex and contested efforts of Haiti's political leaders to articulate a sense of the new nation is especially important given the uniqueness of the country's independence. Saint Domingue's population was composed overwhelmingly of blacks. It was home to the first successful slave revolution. It was the second colony in the Americas to achieve independence. The fact that the first successful slave revolution in the Americas occurred in such a profitable European colony had significant implications for Haiti internally and internationally. Laurent Dubois has argued that "for many who fought slavery—especially slaves elsewhere in the Americas—the Haitian Revolution became an example of what could be accomplished and a source of hope. For those who defended slavery, it became an illustration of the disastrous consequences of freedom."17 In other words, the effects that the Haitian revolution had across the world make the study of its independence and consolidation highly relevant to the study of racial and national consciousness in post-colonial history especially during the nineteenth century.

The revolution in Saint Domingue was also significant because of the economic importance of the colony for France. Michel-Rolph Trouillot has argued that, "by 1789, Saint-Domingue was producing about sixty percent of the coffee sold in the Western world and by the end of the century, it held world production records for both sugar and coffee, becoming—at least from the point of view of the French mercantilists—the most profitable colony in the world."18 The economic value of the colony had lasting effects after independence in terms of economic and military policies. The plantation economy that had been established by the French provided a structure for economic policies immediately after the revolution while the economic value of the country forced the state to focus on military defence.

The historic setting of Haiti's early constitutions helps explain their emphasis on defining the national character of Haiti in terms of three themes: economic, religious and political-military activity. During the first years of semi-independence and then complete independence, Haiti produced four constitutions, each of which is directly relevant to the study of national identity. These constitutions indicate the turbulent and uncertain nature of the times as leaders attempted to provide official guidelines and regulations for how the country should function as a sovereign state. The numerous articles of each constitution suggest how political leaders not only desired the country to be but also how they believed it was and could be. The systematic examination of these articles suggests how these leaders attempted to develop a sense of nation in a context of internal and international unrest.
Toussaint Louverture, Chief General of the revolutionary army, created the first constitution of the colony in 1801 after ten years of war in Saint Domingue. Many significant changes had resulted from the revolution, and Toussaint attempted to clarify and formalize a great deal in this first effort to define the new nation. With international quarrels aside for the moment, Toussaint had to face the problematic task of consolidating a socially-divided people into one nation. In a celebratory text prepared for the bicentennial of the constitution, Claude Moïse describes this heroic effort as emerging from the “upheaval of the colonial slave society, struggling to find a path of institutional normalization amidst multiple conflicts and contradictions.”\(^{19}\) Carolyn Fick’s research further outlines the challenges facing Toussaint as he began his national project. She found that:

on the one hand there were the upwardly mobile emancipated blacks who had risen, like Toussaint, to positions of status through the ranks of the military. On the other, there were light-skinned, former free coloureds, who, by the virtue of their former free status, their education, their properties and by the fact that, as a class, they alone could claim both French and African parentage, saw themselves as the legitimate heirs to power in the new society, now multiracial and, in principal, egalitarian.\(^{20}\)

Toussaint not only had to face internal social divisions but also poor economic conditions after years of war and revolution. Furthermore, international pressure maintained a strong and threatening presence both militarily and economically. All of these characteristics affected the way Toussaint organized and defined the nation.

Laurent Dubois has described the prominent characteristics of Toussaint’s regime in terms of his effort to maintain economic continuity. Dubois agrees with the well-established view that Toussaint strove to maintain the plantation system despite resistance by former slaves who had a different idea of freedom. Dubois concludes that, “To preserve emancipation, Louverture decided that he must preserve the plantation economy and encourage the return of white planters who had fled. Locked in conflict with ex-slaves who had a very different vision of what freedom should mean, he maintained and perfected a coercive system that sought to keep them working on plantations.”\(^{21}\) Dubois’ conclusion is supported by key articles of Toussaint’s constitution. First, the preservation of emancipation as an essential feature of Saint Domingue is illustrated in the third article of the constitution: “Slaves are forbidden in this territory, servitude is abolished forever. All men born here live and die free and French.”\(^{22}\) This article emphasizes two important aspects of Toussaint’s Saint Domingue: first, that all residents (although “hommes” included women only to a limited degree) are free and no longer bound by slavery, and second, that all residents are to be considered French. The second point of this article is an important part of Toussaint’s vision of the country because it links Haiti with France through the people’s nationality. While a very small proportion of residents in the colony would have visited France or would have even known the French language, Toussaint wanted to create solidarity by assigning everyone the same nationality while also seeking to express and engender a sense of loyalty to the metropole. This may have been an effort to gain favour from France and to encourage recognition
of Saint Domingue's effort to gain limited independence. Furthermore, it may have been used as a strategy to maintain peace with France; if Saint Domingue kept formal ties with France then this might discourage further invasions.

A second way that Toussaint related to France in this constitution was in the declaration of the colony as a Catholic state. Article six states that, "The apostolic and Roman Catholic religion is the only one that may be practiced in public."\textsuperscript{23} This article did not forbid other religions (primarily Haitian Vodou) but it stipulated that other religions would not be tolerated publicly. Here, the religious affiliation of the colony was being shaped for external audiences. In official terms, Saint Domingue was to be a Catholic state.

In his research, Dubois has concluded that the ex-slaves' definition of freedom was in conflict with Toussaint's definition. Freedom, as defined by the 1801 constitution, focussed on the creation of an equal society. Article four states that, "all occupations are open to every man whatever his colour may be." Toussaint continued, "there are no distinctions other than those of virtues and of talents, and no other advantage than the law provides for the undertaking of public service. The law is the same for all individuals, whether it punishes or whether it protects."\textsuperscript{24} While Toussaint wanted to create an equal society, void of colour distinctions, his vision conflicted with deep social tensions. Article five values talents and virtues above colour distinctions, but which talents and virtues were to be valued are not defined, in keeping with the common phrase of Enlightenment political theory; in fact, this article was copied almost directly from clause twenty-one of The Declaration of the Rights of Man and of the Citizen (August 1789).\textsuperscript{25} Of course, ex-slaves certainly would not have had the same skills as their former masters and so what equality Toussaint actually imagined remains unclear in the constitution.

The ambition of continuing the plantation economy is articulated forcefully in the constitution of 1801. Article fourteen states that, "the colony is mostly agricultural and therefore cannot withstand the least interruption in the work of farming." Furthermore, the constitution declares that, "since trade for the colony consists solely in the exchange of commodities and produce from its land, the importing of such goods remains prohibited."\textsuperscript{26} These two articles are important because they warn against interruption of the current economy and they prohibit a landowner from either changing or diversifying his crops. However, previous research has indicated that these policies were difficult to implement since former slaves would have to be forced back to plantations thereby undermining their sense of full emancipation. In fact, military coercion was used to force unwilling former slaves back onto plantations but this force was met with resistance and often resulted in widespread revolt.\textsuperscript{27}

Military and political coercion and a plantation economy held a reciprocal relationship in Toussaint's Saint Domingue. Since force was often used to keep former slaves on plantations, the military presence in Saint Domingue supported the plantation economy which in turn supported the military. Carolyn Fick has argued that "the type of society [Toussaint] was creating was dictated by the need to equip and furnish a strong military, without which the defence of emancipation would be compromised, and that depended upon the plantation agriculture and exports to bring in foreign exchange revenues."\textsuperscript{28} For these reasons, the mil-
itary structure in Haiti played an important role under Toussaint and continued to do so after 1804 when not only was emancipation in need of protection, but independence was as well.

Maintaining a colonial economy was one way that Toussaint attempted to make residence in the colony more attractive to white planters, but he also instituted another policy that favoured planters who had left the colony during the revolution. Article seventy-three states that:

Owners who are absent, for whatever reason, retain all rights related to their possessions in the colony; to regain any possession that has been sequestered, it will suffice to present ownership records or, if such records are not available, other records as may be specified by law. This clause does not apply to those who were registered and maintained on the official list of French immigrants; their possessions will continue to be treated as colonial property until their removal.29

This provision was designed to guarantee owners’ safety while assuring them control over their plantations. The result was that Toussaint’s 1801 constitution attempted to maintain significant continuity with Saint Domingue, thereby giving the overwhelming majority of the population reasons to be dissatisfied.

As Laurent Dubois has suggested, Toussaint was forced to pair colonial continuity with coercion in order to prevent rebellion. This coercion is evident in the constitution of 1801. The new colony of Saint Domingue was to be almost fully autonomous and would function politically as an independent nation. Toussaint Louverture, as the governor of the colony, would be required to correspond with the metropole in all matters relating to the colony (art 27) but he would also be in control of all matters within the colony. Toussaint would be both Governor and General in charge of the army (art 28). He would have the power to pass laws and to assign military and civil posts (art 34). He could arrest those he thought were participating in a conspiracy against the state (art 40). Finally, Toussaint, along with his “Assemblé Central”, would have the power to name his successor after his five-year term in office if he himself were not chosen again (art 32). With almost complete power over the colony, Toussaint would have had the power to institute any policy, even without significant support from the population. The political position of Saint Domingue with respect to France changed significantly under Toussaint Louverture, yet much of the internal economic and social structures were allowed and even encouraged to remain the same, though not without controversy. The state provided and encouraged continuity as a colonial entity while military force ensured the application of this identification. Although slave emancipation and efforts to provide colour equality were innovative, the preferential treatment of white residents, a plantation economy, the promotion of French nationalism and a highly powerful governor all suggest that Toussaint Louverture’s vision of Haiti also reflected the structure of colonial Saint Domingue.

The Constitution of 1801 was short-lived, as Saint Domingue was invaded in 1802 by a French expedition headed by Napoleon’s brother-in-law, General Leclerc.30 From this point on, revolutionary forces in Saint Domingue became determined to achieve independence for Haiti. Jean-Jacques Dessalines, Touss-
saint's successor, led the colony to this independence on January 1, 1804. While Toussaint was willing to maintain a connection with France, Dessalines did everything possible to eliminate any vestiges of the white or French presence in the country, as has been well-documented by David Geggus in his comprehensive study of the Haitian Revolution. Similarly, Mats Lundahl has described some of Dessalines's policies that illustrate contempt for whites. After independence:

a countrywide massacre of the remaining French was unleashed. At the head of an army of detachment, Dessalines himself undertook a bloody extermination campaign from Cayes, via Jeremie, Port-au-Prince, Archaie, St. Marc and Gonaives, to Cap Français. Stern orders were issued that no French, regardless of age or sex, should be spared, with the exception of a reduced number of physicians, clergymen and other professionals deemed to be of future use to the new nation. Here, Dessalines' policies explain the dramatic decline in the white population as documented by Barksett and Placide-Justin in their 1826 study.

In the constitution of 1805, Jean-Jacques Dessalines attempted to define Haiti as a distinctive nation by focusing on citizenship, political organization and culture. As both Trouillot and Nicholls have argued, Haiti became a symbol of black equality and freedom in this period. While the success of the revolution provided the basis for this reputation, Dessalines's constitution offered one form of a symbolic re-racialized nationalism by putting restrictions on who could be considered "Haitian". These restrictions were specified in a number of articles. Article twelve states that, "no whiteman of whatever nation he may be, shall put his foot on this territory with the title of master or proprietor, neither shall he in future acquire any property therein." Article thirteen allows some significant and surprising exceptions to this rule, including white women, Germans and Poles who have been naturalized by the Haitian government, although it is noteworthy that article twelve would have expelled almost all of the white residents of the former colony. The institution of this policy is important in Haitian history because it was reinforced in national constitutions, almost without exception, for the next hundred years. As Claude Moïse has remarked, "all the constitutions up to that of 1918, adopted under American occupation, with the exception of those of Christophe (1807 and 1811), repeat these prohibitions with more or less subtlety. Beginning in 1867, the purely racial formulation was abandoned in favour of the more generic term foreigner." The development of Haiti as a nation was therefore associated with race and colour in keeping with the colonial history of the country and with policies instituted after independence, such as those that forbade white males from ownership of slaves or property.

Property ownership is further discussed in the constitution of 1805 with respect to white owners and former owners. Not only were white men not allowed to own property but the property that they owned in colonial Saint Domingue was to come under national ownership. Article twelve of the General Dispositions states that, "all property which formerly belonged to any white Frenchmen, is incontestably and of right confiscated to the use of the state." Further regulations relating to former colonial land ownership can be seen in article thirteen of the General Dispositions: "every Haytian, who, having purchased property
from a white Frenchman, may have paid part of the purchase money stipulated in the act of sale, shall be responsible to the domains of the state for the remainder of the sum. These articles portray the increasing role the state was expected to play in Haitian life. The massive collection of land would allow the state to control a significant proportion of the economy while also generating a great deal of revenue.

A second way that Dessalines restricted who would be included in the nation can be seen in article seven of the constitution. This article states that, “the quality of citizen of Hayti is lost by emigration and naturalization in foreign countries and condemnation to corporal or disgrace punishments. The first case carries with it the punishment of death and confiscation of property.” In contrast to Toussaint’s constitution, which allowed for absentee owners, Dessalines’s constitution not only restricted citizenship but also made this citizenship conditional. In terms of nationality, this policy was designed to strengthen an individual’s allegiance to the state by forbidding citizenship ties to another country. A person could not hold dual nationality; they were either completely Haitian or they were not Haitian at all.

A third way that the constitution of 1805 sought to construct national unity was by attempting to eliminate colour distinctions within the country. As Trouillot and Nicholls have shown, internal colour differences affected political and social hierarchies throughout the country’s history. Dessalines’s solution for the colour differences in Haiti can be seen in article fourteen of his constitution: “all acquisition (sic) of colour among the children of one and the same family, of whom the chief magistrate is the father, being necessarily to cease, the Haytians shall hence forward be known by the generic appellation of Blacks.” While some whites were allowed to remain in Haiti and not all non-whites in Haiti considered themselves to be ‘black’, this article conceptualizes ‘race’ in ideological terms rather than biological terms. The identification of all Haitians as being the same thus attempted to create an “imagined community” by proposing a new definition of ‘black’.

Like Toussaint, Dessalines called for equal treatment of all citizens in the country. While this call may have been in conflict with black ideals of freedom in 1801, other significant changes gave new meaning to the practice of equality in Haiti. As noted above, few whites were allowed to remain in independent Haiti and so the articles in Dessalines’s constitution promote equality between peoples of the same ‘race’. This equality is applied in a significantly different manner by Dessalines’s new ideological definition of race. Article three of Dessalines’s constitution states that, “the citizens of Hayti are brothers at home; equality in the eyes of the law is incontestably acknowledged, and there cannot exist any titles, advantages, or privileges, other than those necessarily resulting from the consideration and reward of services rendered to liberty and independence.” Here, the people included in this ‘equality’ are significantly different from those described in the 1801 constitution and the conditions of equality are much more specific. Toussaint defined equality in the abstract terms of talent and virtue, while Dessalines chose to define equality in the more specific terms of services to the state. This definition related to the ways that the 1805 constitution attempted to promote a sense of national belonging; in order to be considered equal, one must have contributed services to the state (and one would assume
that different levels of contribution would merit different levels of ‘equality’). In this way, Dessalines’s constitution promoted equality based on complete loyalty to the state.

The structure of Dessalines’s government, which maintained many of the characteristics of Toussaint’s government, is important to study in terms of efforts to achieve national consolidation in Haiti because it highlights features that were common to Haitian governments after independence. Article nineteen declares that, “the government of Hayti is entrusted to a first Magistrate, who assumes the title of Emperor and commander in chief of the army.” Here, as in 1801, the leader of the country assumed both political and military power. This had significant implications for the character of the country as a highly militarized state since it allowed one individual to control two dominant state structures. The highly military structure that developed in Haiti was seen by political leaders as necessary for a number of reasons. Mats Lundahl has argued that:

Dessalines knew what he was doing when he insisted on a high degree of military alertness in order to defend the country. Not only had France been deprived of what had been the country’s finest colony and a massacre on French citizens, including women, children and aged, been carried out, but Haiti was a black, independent nation of ex-slaves in an environment otherwise characterized by colonialism and slavery and as such was viewed with apprehension by all slave-owning nations.

These threats to Haitian independence made a strong military necessary during the early years of independence, and, in fact, state sponsorship of strong military forces can be seen in each of the early constitutions. Military authority in the constitution of 1805 is included in article thirty which states that, “the Emperor makes, seals and promulgates the laws; appoints and revokes at will, the Ministers, the General in Chief for the Army, the Counselors of State, the Generals and other agents of the Empire, the sea officers, the members of the local administration, the Commissaries of Government near the Tribunals, the judges, and other public functionaries.” In other words, Emperor Dessalines sought to have complete power over all aspects of the country while also having the power to name his successor either before or after his death. Trouillot has argued that the importance the government placed on the army led to the militarization of the entire state. He argues that, “the army played a cohesive and redistributive role, but at the same time the militarism that it imposed on the country reinforced the separation of nation and state. Not only were issues debated just at the time that problems had become so serious that they could no longer be postponed, but the ad hoc solutions were always military in nature: arrests, assassinations, rebellions. The importance of the political sphere thus reinforced the size and importance of the army, and this in turn reinforced the role of the political sphere in national life.” In other words, the integration of the army into the political development of the country encouraged a complete political militarization of the country. At the same time, though, this militarization appears to have alienated significant sectors of Haitian society and thereby created considerable tension between the state and the new citizens.

Another area of Dessalines’s constitution that focused on the development of
Haiti as an “imagined community” is the inclusion of articles that deal with culture. One of the most important cultural areas that was prominent in all of the early constitutions is the topic of religious affiliation. While Toussaint chose to align himself and the country with Catholicism, Dessalines chose to leave this decision to each citizen. Dessalines instituted three articles that concerned a citizen’s worship: first, “the law admits of no predominant religion”; second, “the freedom of worship is tolerated”; and third, “the state does not provide for the maintenance of any religious institution, nor any minister.”

Dessalines’s apparent indifference to the country’s official religious affiliation is important for a number of reasons. First, it allowed for the development of Haiti’s popular religion, Vodou. Second, it denied Catholicism the structural support of an official religion. For example, Trouillot has argued that, “in Catholic Europe, as in the current and former colonies of Catholic nations, religious orders have always been the backbone of the formal educational system. Starting from scratch, with a population just liberated from slavery, Haiti badly needed the help that the missionaries could have provided.” From this perspective, an official state religion would have helped Haiti develop internal stability while a formal link with the Catholic Church would have helped Haiti obtain political and social acceptance internationally. On the other hand, scholars have recently emphasized the negative features of state religions (including the work of missionaries) for social, cultural and economic development, and thus Trouillot’s speculations deserve further study both in a domestic and international context. With respect to the imagining of Haiti, the fact that Dessalines chose to support Haiti’s popular religion remains a significant and noteworthy feature of his vision of the new country.

Dessalines further attempted to promote national loyalty in the constitution of 1805 by designating national holidays and festivals. Article twenty-seven states that, “there shall be national festivals for celebrating independence, the birth day of the emperor and his august spouse, that of agriculture and of the constitutions.” The events that Dessalines chose as important national celebrations are connected to the specific character that Dessalines wanted to assign the country. First, the country was to celebrate independence. This is important because it recognized and commemorated the development of Haiti as free from France, thereby signifying the beginning of ‘Haitian’ as an official and distinctive identity. Second, the birthdays of the Emperor and his wife were to be celebrated by all citizens in an attempt to connect national loyalty to loyalty to the current leader. The third attribute of Haiti to be celebrated, agriculture, was designed to promote the development of the economy. The importance of agricultural development can also be seen in article twenty-one of the General Dispositions: “agriculture, as it is the first, the most noble, and the most useful of all the arts, shall be honoured and protected.”

Dessalines did not question the importance of commerce, as can be seen in article twenty two of the General Dispositions, which states that, “commerce, the second source of prosperity of states, will not admit of any impediment; it ought to be favored and specially protected.” While Dessalines recognized the importance of commerce, he promoted agriculture as essential to the country and considered it something to be celebrated and honoured. The final national festival to be celebrated focused on the constitution itself, and was seen to be...
important to the creation of national solidarity because it encouraged the nation to celebrate the characteristics chosen for them by the state. Dessalines's definition of Haiti was not only to be legally obeyed but it was to be celebrated by individuals throughout the country.

A final article that dealt with national unity is article twenty-eight of the General Dispositions. This article states that, "at the firing of the alarm gun, the cities will disappear and the nation rise." According to this article, the needs of the nation should take precedence over an individual city's concerns in an emergency situation. In this way, the importance of national unity was seen to supersede any internal divisions. In the creation of a new country, this article called for allegiance in times of crisis and valued the idea of one national community above local or regional jurisdictions.

Following independence, therefore, political leaders defined Haiti in significantly new ways. Independence from France gave Haiti the chance to attempt to define the nation on its own terms. New citizenship regulations attempted to reconstruct 'race' in keeping with Dessalines's new view of 'black.' While economic and religious policies differed from those of colonial Saint Domingue, official political structures maintained a high degree of continuity. Dessalines also attempted to enforce national identification in the constitution by promoting popular festivals to celebrate the new nation as defined by the state. In these ways, Dessalines's constitution assigned Haiti a national character that differed significantly from that proposed by Toussaint's constitution of 1801 and from the political framework of colonial Saint Domingue.

The turbulent character of this period is further evident in the constitution of 1806, created by the Republic in the South and West of Haiti. Unlike the previous constitutions, the content of the 1806 document emphasizes political and judicial structures and policies. This unusually long constitution (it consists of two hundred articles, whereas the constitution of 1801 had 77 articles and the constitution of 1805 had 81), focuses on topics such as "Pouvoir Législatif" (art 40–100), "Pouvoir Exécutif" (art 103–125), and various judicial categories (art 133–166), while topics such as "De la Culture et du Commerce" (art 171–173) and "Etat politique des citoyens" (art 33–34) are not discussed in as much depth. Article seventeen of the constitution provides a general summary of the focus of the 1806 constitution. It states that, "the duties of each individual are to defend and serve society, and to live subject to its laws while respecting those who are its representatives." In contrast to the previous political structures in Haiti, the Republic attempted to create a more democratic society.

The claims for democracy in 1806 changed the existing political structure although scholars suggest that, in the end, the results proved to be merely a variation of the authoritarianism of Toussaint and Dessalines. Nicholls argues that, "in the republic a careful reading of the constitution as well as an examination of the practice, would reveal that despite talk of sovereignty of the people, real power was in the hands of a small self-perpetuating elite." Systematic study of the constitution of 1806 does in fact reveal contradictions to the assertions of a democratic state. Political power in the Republic was in the hands of a senate and a president. While the president was considered the head of state and of the army (art 117), the senate was essentially in control. The power of the senate...
can be seen in the final policy of article forty-two: "in a word to exercise exclusive legislative authority in all cases." The ability for the senate to control all legislative aspects is one example of how the senate determined the political characteristics of the country. This senate was composed of a select group of people as can be seen in article forty-eight: "the assembly being constituted, from the twentieth to thirtieth of November, of twelve individuals from the department that are believed to be the most appropriate to undertake the duties of Senator. These individuals can be chosen only from the citizens who serve or have served a civil or military function with integrity and honour." The limits this article imposes are problematic because they do not specify what constitutes the honour required to be considered for the position of senator. Furthermore, those occupying civil or military positions would have had to have come from the upper classes of society, thereby again limiting the pool of potential senators.

In this constitution, the selection process for the presidency further demonstrates the intended power of the senate. Article one hundred and eleven states that, "any President other than the one named by the currently constituted Assembly, can only be selected from the citizens who have been or who will be members of the Senate or Secretary of State." Furthermore, the senate was given the ability to choose which member or former member was to become the next president, with political power in the Republic in the hands of the senate, while the Republic structured political aspects of the country in a radically different way from previous governments, the authoritarian result contradicted claims to democracy.

Although the constitution of 1806 did not focus on cultural aspects, the articles that do discuss culture suggest a great deal in terms of the perceived and intended social development in the country. One of the most important articles that shows continuity between nationality in Dessalines's constitution and that of 1806 is concerned with citizenship regulations. Article twenty-seven states that, "no White person, whatever his nation, will be allowed to set foot on this territory with the title of master or owner." This article, as discussed in connection with the constitution of 1805, was designed to have significant implications for the composition of the population in the country. In this view, colour and race continued to characterize nationality in Haiti. But the constitution of 1806 suggests that race, as defined by Dessalines (where all residents were to be considered "black"), was no longer the key component of the proposed "imagined community." Article twenty-eight states that, "Whites who are in the army or who occupy civil offices or who are part of the Republic when this Constitution is made public are recognized as Haitians." Here, not only are the exceptions of who is to be allowed to remain in the country different from the previous constitution, but the "imagined community" is to be "Haitian" rather than "black". In other words, Dessalines's social construction of race was rejected in favour of a nationalist identification. Research by Nicholls and Trouillot indicates that colour differences played a prominent role in the social aspects of Haitian society. Their work suggests that 'coloured' Haitians would have resented their categorization as 'black', and such resentment may have affected the constitutional changes that occurred in 1806.

Another significant change in the 1806 constitution concerned religious affiliation. The religious tolerance of 1805 was replaced by an official national affil-
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iation to the Catholic Church. Article thirty-five states that, “as the religion of all Haitians, the apostolic and Roman Catholic religion is the State religion. It will be specifically protected as will its clergymen.” The return to Catholicism as the state religion occurred for a number of reasons. While the Pope did not recognize Haiti as a Catholic state for a significant length of time, the efforts of the country to affiliate itself with Catholicism related directly to efforts to create a nation both internally (the country’s rejection by Rome implied that those in the country were not suitable to be Catholic while the rejection also allowed other religions to develop more freely) and internationally (the country’s rejection was consistent with racist beliefs in Europe about the barbarism of those of African descent). Trouillot has discussed some consequences of the rejection of the Haitian state by the Catholic Church leaders in terms of why the 1806 constitution may have attempted this affiliation. He argues that, “the absence of formal ties between Rome and Haiti reinforced the distain of many white foreigners who saw in the Pope’s reluctance to associate himself with Haiti’s rulers (who, after all, claimed to be Catholic) further proof of the “savagery” of the people whom they ruled.” The reaction of the international community to the rejection of Haiti as a Catholic state suggests that international approval may have been one of the goals in the policies of the 1806 constitution. It should not be overlooked, however, that, while the constitution of 1806 declared Haiti to be a Catholic state, a specific article also articulated the state religion might expand and change. Article thirty-seven states that, “if in the future, other religions are introduced, no one will be prevented, if they abide by the laws, from practicing their chosen form of worship.”

Another characteristic of the Republic that differed significantly from both the constitutions of 1801 and of 1805 concerned economic policy. While Toussaint favoured a continuation of the colonial economy and Dessalines supported agriculture as the most useful and noble trade, the Republic chose commerce over agriculture. Article 173 states that, “trade, another source of wealth, will not be impeded and will receive the greatest protection.” This policy favoured merchants and, as Robin Blackburn argues, merchants in the south hoped for commercial relationships with the United States. This has important implications for the Haitian economy because it suggests that valued trades, such as agricultural production, could be exchanged or replaced by economic activity that would gain the country favour in international economics or politics. Furthermore, the constitution of 1806 favoured the work of merchants above agriculturalists and as a result would have aided in the development of a new elite class. In this sense, the 1806 constitution was different from previous constitutions because it discussed economic issues as a part of its main focus on the political structure of the country. Power was intended to remain in the hands of a small group even though the Republic claimed to be a more democratic state.

The constitution of 1807, created under the direction of Henri Christophe, was enforced in the northern section of the country and coexisted with the 1806 constitution of the Republic in the south. This constitution included a significant proportion of articles dedicated to political aspects of the country, but it also included various articles related to the definition of the new nation. The political structure of the north was significantly different from that of the south.
but scholars have concluded that the outcome was quite similar. The President in the north, Henri Christophe, was also to be Generalissimo of the army and was intended to have almost complete political and military control. The president would be aided by a Council of State, which he had the power to name, and he would also have the ability to name his successor after serving his life-term in office. An example of the power sought by Henri Christophe can be seen in article ten of the constitution: “The Armed forces of land and sea are under the orders of the President, as is the direction of Finances, whose administration he shall entrust to a Superintendent General and supervisors designated by him.”

This article suggests not only the intended power of the President to make decisions but it also highlights his ambitions to designate whomever he chose to fill political positions in the state.

Another article that indicates the extent of the authoritarian nature of Henri Christophe’s government is article forty-four. This article states that, “the application of the Constitution shall be suspended in all places of the territory of Haiti in which disturbances take place that force the dispatch of the Armed Forces to restore order.” The official relationship between the state and the army was thereby strengthened in this way under Henri Christophe because the President had the right to overrule the Constitution if he felt that order had been lost.

In this constitution the President maintained considerable official control over the country both politically and militarily, which suggests that the articles he introduced that concerned cultural aspects of the country were intended to be monitored and enforced. In terms of popular religious affiliation, the north did not differ significantly from the south, but the constitution did provide for some deviation from a singular Catholic adhesion. Article thirty states that, “The [apostolic and Roman Catholic Religion] is the only one recognized by the Government. The exercise of others is tolerated, but shall not be done publicly.”

This policy was intended to have important implications for cultural development in Haiti. It suggests that the Haitian “imagined community” was to have two religious components; the first was to be a public and formal religious affiliation to the Catholic Church while the second was to be amorphous and secret. The duality of religious affiliation in Henri Christophe’s constitution allowed for the development of domestic religious realities while the state could claim allegiance to the Church (an important part of the state’s international policy, as was previously discussed).

Another aspect of nationalism that Henri Christophe attempted to form in his constitution was loyalty to the state. His political and military policies created a highly regulated and authoritarian state. One way the constitution attempted to extend this military presence was to force members of society to participate in the expansion of this institution. Article forty states that, “all Haitians between 10 and 50 years are obliged to lend their services to the Army as many times as the security of the State requires.” The fact that citizens were forced to actively participate in the military contributed to the development and reinforcement of the militarized nature of Henri Christophe’s state. This participation may have helped blur the distinction between external and self-identification.

In the constitution of 1807, economic policies continued to play an impor-
tant role in how the country was officially defined. Henri Christophe followed a similar line to that of Dessalines by declaring that, "agriculture, as the first, noblest, and most useful of all the crafts, shall be fostered and protected." But Henri Christophe did not ignore the importance of commerce in the newly independent nation. While agriculture was to be valued and promoted, foreign merchants were to be welcomed and protected. Article forty-one states that, "the Government solemnly guarantees to foreign merchants the security of their persons and their goods, and it assures the most effective protection to them." Again, a twofold strategy was proposed: the first was to develop as a unique Haitian culture and the other was to promote international commerce.

A final aspect of Henri Christophe's constitution that was designed to support the development of a national loyalty was a feature that was also found in Dessalines's 1805 constitution. Article fifty states that, "national celebrations celebrating independence, the constitution, agriculture, and the Saint's Days of the President and his wife shall be established and shall be fixed by law." These festivals, almost identical to those created by Dessalines, were intended to have similar effects on national consciousness. National loyalty was to be celebrated publicly as a way to help translate external-identification into self-identification by encouraging all citizens to celebrate constitutional policies.

The first four constitutions of Haiti reveal a great deal about the challenges of imagining a "community" in a country composed of a wide variety of individuals and groups defined in terms of diverse criteria. These constitutions are highly relevant to Haitian history because they mark the first time that political leaders in Haiti were able to propose definitions of Haiti in their own terms. The frequency of major changes reveals that a new national identity was not something that leaders could define in a straightforward way. Moreover, the authoritarian nature of the various political structures outlined in the constitutions, whether admitted or not, indicates that the leaders recognized a need to promote unity and conformity however the "imagined community" was defined. Political and military relationships are, without exception, reinforced in each constitution. The militarization of politics in the country also derived from the perceived need to protect Haiti's sovereignty. The emperor, president or king of every state was in military control of the country, and thereby directly ready to act in its defence.

Similarly, discussions of economic policy and religious affiliation appear consistently in each constitution although they were viewed in quite different ways in keeping with the contested and uncertain character of the times. The nation was to think about its economic character as primarily agricultural in most of the constitutions but in 1806, commerce was praised and Haiti was portrayed as a trading nation. Similarly, the constitutions claimed the official affiliation of Haiti to the Catholic Church except in 1805, when the constitution imagined a much more diverse religious character for the new country. The fact that other religions were consistently tolerated by all of the constitutions appears to have reflected the leaders' ambition to be accepted internationally and to have Haiti recognized as a distinctive country.

While state structures such as constitutions influence how the self and the state will be perceived as Anderson and Brubaker and Cooper have suggested, the study of reactions and resistance to the numerous constitutions in Haiti
would be necessary to evaluate the impact of the constitutional changes. The early national constitutions in Haiti imply a complex struggle to form a unified nation that undoubtedly went well beyond the efforts of political leaders. Constitutions are valuable sources because they highlight national character as it was officially assigned to the country. This identification, as Brubaker and Cooper note, affects self-perception and external-perceptions in complex ways. Since the characteristics assigned in constitutions are theoretically the same for all members of the new nation, they create a nation that is an ideal; intentionally, then, constitutions mask the complexities of society in favour of a single imagined community. This process is not specifically what Anderson had in mind in his description of how individuals come to see themselves as members of a geographically-diverse collectivity but his concept of an ‘imagined community’ helps explain constitutional efforts to value similarities over differences in early nineteenth century Haiti.

Moreover, scholars who have stressed the racial divide between *anciens libres* and *nouveau libres* have not adequately appreciated how the constitutions between 1801 and 1807 offered multiple articulations of Haiti as a single imagined community. Each constitution gave one name to all citizens. One example can be seen in the significant change from the constitution of 1805 to the constitution of 1806. While Dessalines declared all residents in the country to be ‘black’, the 1806 constitution declared all residents to be ‘Haitian’. The constitutions did not divide the country by shades of skin colour or by legal status prior to the revolution. Haiti’s initial constitutions reveal how early national leaders attempted, in various ways, to create a community with a single identification out of diverse peoples. The findings of scholars such as Trouillot and Nicholls indicate that these efforts were not successful.74 By other criteria, post-revolutionary Haiti may have been a fragmented society, but it remains noteworthy that the constitutions consistently contested such fragmentation. It is possible to speculate that the colour conflicts that Nicholls and Trouillot have examined may have contributed to this change; the study of public reactions to the constitutional articles would clearly help evaluate the successes or failures of their application.75 It is also noteworthy that the distinguishing features of the early attempts at national identification remain visible in Haitian society today. For example, the word “blanc” in Creole defines a person as a foreigner regardless of the colour of their skin. The direct relationship between skin colour and place of residence is consistent with Dessalines’s initial attempt to eliminate almost all white people from the country and then to use the word “black” to name all Haitians, regardless of skin colour.

In general, then, the findings of this systematic study of Haiti’s early constitutions not only enhance our appreciation of the struggles of political leaders to imagine a new nation but they also point to the need for further study to connect such imaginings to everyday life and to the subsequent history of Haiti. The legacy of the early national constitutions was particularly apparent in the bicentennial events related to the 1801 constitution that included the publication of Claude Moïse’s celebratory book.76 Also, Haiti’s first constitution is still celebrated in the country but with a degree of purposeful historical forgetting. A monument in Champs de Mars, Port-au-Prince is inscribed with a number of articles from the 1801 constitution, most of which relate to the freedom and
equality of the people. But while certain aspects of the constitution are celebrated, "et Français" is dropped from the end of Article 3 in order to emphasize independence rather than the country's connections to France. A great deal remains to be learned about the meaning of the world's first and only successful slave revolution not only in terms of the history of Haiti but also in terms of continued efforts since the early 19th century to successfully combine geo-political definitions of self with those of racialized identification and of social class.

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ENDNOTES
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11. Trouillot, 83.


16. Brubaker and Cooper, 15.

17. Laurent Dubois, Avengers of the New World (Cambridge, MA, 2004), 3.

18. Trouillot, 37.

19. “chamardement de la société coloniale esclavagiste cherchant laborieusement, a travers les luttes et les contradictions multiples, une voie de normalization institutionelle.” Claude Moise, Le Projet national de Toussaint Louverture et la constitution de 1801 (Le Comité de commémoration du bicentenaire de Toussaint Louverture, CIDIHCA, 2001), 80. This volume includes the full text of the 1801 Constitution and the speech that Toussaint made at the ceremony on July 8, 1801.


24. “Tout homme, quelle que soit sa couleur, y est admissible a tous les emploies.” Toussaint continued, “Il n’y existe d’autre distinction que celle des vertus et de talents, et d’autre supériorité que celle la loi donne l’exercice d’une fonction publique. La loi y est la même pour tous, soit qu’elle punisse, soit qu’elle protège.” Constitution of 1801, Articles 4 and 5.

25. Article 21: “All citizens are admissible to all public offices, without any other distinctions than those of their virtue and talents....” “The Declaration of the Rights of Man and of the Citizen (August 1789)" July 15, 2006 http://www2.bc.edu/~weiler/frenchrevdocs.htm

26. “la colonie, étant essentiellement agricole, ne peut souffrir la moindre interruption dans les travaux de ses cultures.” Furthermore, the constitution declares that, “le commerce de la colonie ne consistant uniquement que dans l’échange des denrées et productions de son territoire, en conséquence l’introduction de celles de même nature que les siennes est demeure prohibée.” Constitution of 1801, Article 16.

27. Fick, 27.

28. Fick, 23.

29. “Les propriétaires absents, pour quelque cause que ce soit, conservent tous leurs droits sur les biens à eux appartenant et situés dans la colonie; il leur suffira, pour obtenir
la main levée de séquestre qui y aurait été posé, de représenter leurs titres de propriété et à défaut de titres, des actes supplétifs dont la loi détermine la formule. Sont néanmoins exceptés de cette disposition ceux qui auraient été inscrits et maintenus sur la liste générale des émigrés de France; leurs biens, dans ce cas, continueront d’être administrés comme domaines coloniaux jusqu’à leur radiation.”

Constitution of 1801, Article 73.


32. Lundahl, 79.


34. The inclusion of Germans and Poles as citizens in independent Haiti is a result of their participation in the war of independence. This topic is discussed in detail in Pachonski Wilson's Poland's Caribbean Tragedy. It was thought at the time that Poles were sympathetic to the black’s goals for freedom and so they were often provided better treatment than the French. This assumption is controversial but Dessalines seems to have been sympathetic to the Polish military forces in Haiti.

35. “Toutes les constitutions jusqu’à celle de 1918, adoptée sous l’occupation Américaine, a l’exception de celles de Christophe (1807 et 1811), reconduisent ces interdictions avec plus ou moins de nuances. A partir de 1867, la formulation strictement raciale sera abandonnée au profit de terme générique d’étranger.”


40. Constitution of 1805, Article 3.


42. Lundahl, 82.

43. Constitution of 1805, Article 30.


45. Trouillot, 88.

46. Constitution of 1805, Articles 50–52.

47. Trouillot, 51.
48. Constitution of 1805, Article 27.

49. Constitution of 1805, General Dispositions Article 22.

50. Constitution of 1805, General Dispositions Article 22.


53. “les obligations de chacun envers la société consistent à la défendre, à la servir, à vivre soumis aux lois et à respecter ceux qui en sont les organes.”
Constitution of 1806, Article 17.

54. Nicholls, 59.

55. “en un mot d'exercer l'autorité législative exclusive et dans tous les cas.”
Constitution of 1806, Article 42.

56. “l'assemblée étant constituée, du vingt au trente novembre, douze personnes de son département qu'elle croit les plus propres à remplir les fonctions de Sénateur. Ces personnes ne peuvent être pris que parmi les citoyens qui exercent ou qui ont exercé une fonction civile ou militaire avec probité et honneur.”
Constitution of 1806, Article 48.

57. “tout autre Président que celui nommé par la présente Assemblée constituante, ne pourra être pris que parmi les citoyens qui auront été ou seront membres du Sénat ou Secrétaire d'Etat.”
Constitution of 1806, Article 111.

58. Constitution of 1806, Article 106.

59. “aucun Blanc, quelle que soit sa nation, ne pourra mettre pied sur ce territoire a titre de maître ou de propriétaire.”
Constitution of 1806, Article 27.

60. “Sont reconnus Haïtiennes les Blancs qui font partie de l'armée, ceux qui exercent des fonctions civiles et ceux qui sont admis dans la République a la publication de la présente Constitution.”
Constitution of 1806, Article 28.

61. “la religion catholique, apostolique et romaine étant celle de tous les Haïtiens est la religion de l'Etat. Elle sera spécialement protégée ainsi que ses ministres.”
Constitution of 1806, Article 35.

62. Trouillot, 51.

63. “Si par la suite, il s'introduit d'autres religions, nul ne pourra être empêché, en se conformant aux lois, d'exercer le culte religieux qu'il aura choisi.”
Constitution of 1806, Article 37.

64. “le commerce, autre source de prospérité, ne souffrira point d'entraves et recevra la plus grande protection.”
Constitution of 1806, Article 173.


67. Constitution of 1807, Article 44.

68. Constitution of 1807, Article 30.

69. Constitution of 1807, Article 40.

70. Constitution of 1807, Article 49.

71. Constitution of 1807, Article 41.

72. Constitution of 1807, Article 50.

73. The 1811 Constitution was created in the north under the rule of Henri Christophe and was signed by military and government leaders; under this constitution northern Haiti became a kingdom.

The authoritarian nature of Haitian politics is further reinforced in this. The constitution discusses policies solely related to the government and leadership in the country and presents itself as a revision of the political aspects of the constitution of 1807. The policies enacted by the Council of State in the constitution of 1811 further consolidate the power of Henri Christophe. One of the central goals of the constitution was to “convey an idea of the supremacy of power,” and this ambition was reflected in the political changes. Henri Christophe was “declared King of Hayti, under the name of Henry” in Act 1: Of the Supreme Authority, and ultimate power in the country remained under his control. Other categories discussed in the constitution include: Of the Royal Family, Of the Regency, Of the Great Council and of the Privy Council, Of the Great Officers of the Kingdom, Of the Ministry, Of the Oaths and Of the Promulgation.


74. See, for example, Nicholls’ study of black (noir) and mulatto (mulat' or jaune) writers in *From Dessalines to Duvalier: Race, Colour and National Independence in Haiti*

75. In addition to studying the effects of internal colour divisions, further research is needed on how the Germans, Poles and white women reacted to these general appellations.