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The Broken Contract
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A contract of citizenship defines the duties of care that public officials owe to the people of a democratic society. The Constitution defines some parts of this contract, and statutes define other parts, but much of it is a tacit understanding that citizens have about what to expect from their government. Its basic term is protection: helping citizens to protect their families and possessions from forces beyond their control. Let's not suppose this contract is uncontroversial. American politics is a furious argument about what should be in the contract and what shouldn't be. But there is enough agreement, most of the time, about what the contract contains for America to hold together as a political community. When disasters strike, they test whether the contract is respected in a citizen's hour of need. When the levees broke, the contract of American citizenship failed.

The most striking feature of the catastrophe is not that the contract didn't hold. That is now too obvious to argue about. Many municipal, state and federal officials, elected and appointed, forgot the duty of care they owed to their fellow citizens. Some fled when they should have stayed at their posts. Some promised help they could not deliver. Some failed to rise to the terrible occasion. All of this is now well documented. What has not been noticed is that the people with the most articulate understanding of what the contract of American citizenship entails were the poor, abandoned, hungry people huddled in the stinking darkness of the New Orleans convention center.

"We are American," a woman at the convention center proclaimed on television. She spoke with scathing anger, but also with astonishment that she should be required to remind Americans of such a simple fact. She - not the governor, not the mayor, not the president - understood that the catastrophe was a test of the bonds of citizenship and that the government had failed the test. This failure was perhaps most evident when, on Sept. 1, a full three days after the hurricane struck Louisiana, Washington's top officials were asserting that they had only just learned that in the convention center were thousands of exhausted fellow citizens in the dark, at the ends of their tethers, awaiting an evacuation that had not come.

"We are American": that single sentence was a lesson in political obligation. Black or white, rich or poor, Americans are not supposed to be strangers to one another. Having been abandoned, the people in the convention center were reduced to reminding their fellow citizens, through the medium of television, that they were not refugees in a foreign country. Citizenship ties are not humanitarian, abstract or discretionary. They are not ties of charity. In America, a citizen has a claim of right on the resources of her government when she cannot - simply cannot - help herself.

It may be astonishing that American citizens should have had to remind their fellow Americans of this, but let us not pretend we do not know the reason. They were black, and for all that poor blacks have experienced and endured in this country, they had good reason to be surprised that they were treated not as citizens but as garbage.

Let us not assume, either, that this moment of contempt is over. A week after the disaster, bodies were still floating in the fetid waters. I hope they will have been cleared by the time you read this. Duties of care, not to mention decency, cannot be less controversial than care of the dead. Yet often enough, the only people who took the care to cover corpses, to identify their names, to mark out a place of rest, were not law enforcement officials, who always seemed to have some pressing reason that it wasn't their job, but the storm victims themselves.

Let us not be sentimental. The poor and dispossessed of New Orleans cannot afford to be sentimental. They know they live in an unjust and unfair society. They know their schools aren't much good, that their police protection is radically deficient, that their economic opportunities are few and that their neighborhoods have been starved of hope and help.

Knowing all this, the people of New Orleans still believed that, as Americans, they were entitled to levees that would hold, an evacuation plan that would actually evacuate them and a resettlement plan that would get them back on their feet. They were entitled to this because they are Americans and because these simple things, while costly, are well within the means of the richest society on earth.

So it is not - as some commentators claimed - that the catastrophe laid bare the deep inequalities of American society. These inequalities may have been news to some, but they were not news to the displaced people in the convention center and elsewhere. What was bitter news to them was that their claims of citizenship mattered so little to the institutions charged with their protection.

There are inequalities that people endure, and there are inequalities that enrage. Neighborhoods in Los Angeles that kept quiet through poverty and discrimination erupted when Rodney King's attackers were acquitted. Why? Because police brutality on television, combined with the blatant lack of accountability exposed by the ensuing trial, betrayed the contract that binds all Americans to their allegiances: the promise of equal protection of the laws. When government failed so dismally in New Orleans, the betrayal was of the same order: it was no longer possible to believe in the contract that binds Americans together.

Let us grant that the contract is contested ground. Liberals since Franklin D. Roosevelt have believed that being a citizen should give protection against the dangers of unemployment, old age and ill health, while conservatives have sought to curtail the contract, arguing that government programs weaken personal responsibility and hobble economic progress. Still, the idea of a contract is very basic. President Bush's Social Security proposals got nowhere because they appeared to tamper with one of its key

terms: the idea that the government will guarantee every American a secure retirement income.

What makes the failure over Katrina so unexpected is that while liberals and conservatives agreed about nothing else, they were supposed to have agreed that government should protect Americans from natural disaster. Since the Mississippi flood of 1927, and the efforts of Herbert Hoover and the Army Corps of Engineers, public authority has been charged with this duty. This was the key element of the contract that seemed to have been ripped up like a roof shingle and cast into the infernal waters of New Orleans.

This betrayal cannot be made better by charity and generosity. Americans have turned out to be - not surprisingly - very generous toward what has become the largest population of internally displaced people since the Civil War. But private benevolence cannot heal the wounds - of humiliation and abandonment - caused by government failure. Nor can exemplary performance by some agencies - the Coast Guard, for example - do that much to redeem the abject performance of others.

The failures were not just failures of performance or anticipation. They were failures of political imagination. Officials and engineers in charge of the levees reasoned like actuaries, building to a standard designed to protect only most of the people most of the time. Had they reasoned with any degree of political imagination, they might have started from the premise that there are some harms that a government must protect its people from, however unlikely they may turn out to be, whatever the cost. That is how the British reasoned when they built the hugely expensive Thames barrier, how the Dutch reasoned when they built their flood-control system. In America, a levee defends a foundational moral intuition: all lives are worth protecting and, since this is America, worth protecting at the highest standard. This principle was betrayed by the Army Corps of Engineers, by the state and local officials who knew the levees needed repair and did nothing and by Congress, which allowed the president to cut appropriations for levee renewal.

The same betrayal occurred in evacuation plans that assumed that citizens could evacuate by car. It turned out that 27 percent of city households did not own a car. Racial ignorance and contempt may explain some of this, but not all. A better explanation is that the people involved in municipal, state and federal government simply did not care enough about their own professional morality to find out the true facts. Public officials simply didn't bother to cross the social distances that divided them from the truth of the New Orleans population. These social distances between rich and poor, between black and white are stubborn and are likely to endure, but the most basic duty of public leadership is always to know how the other half lives - and dies.

A duty to truth was failed, but so was a duty to democracy. Why weren't ordinary New Orleans citizens consulted about the evacuation plan? The people in poor wards of the

city would have picked its holes apart in a second. In the future, one simple test of an evacuation plan's adequacy should be: Have the people who are likely to be evacuated been fully consulted on its contents?

The most terrible price of Katrina - everyone can see this - was not the destruction of lives and property, terrible though this was. The worst of it was the damage done to the ties that bind Americans together. It is very much too late for senior federal officials, from the president on down, to reknit these ties. It is just too late for the public-relations exercises that pass for leadership these days, the fine speeches from the Oval Office or other stage-managed venues. The real work of healing will be done by citizens much lower down the chain of command: the schoolteachers and superintendents of public school systems around the country who are taking in children and putting them through the healing routines of the school day; the morticians who do what they can to respect the dead; the National Guardsmen who protect the vacant city; the officials and business people who plan its rebirth. To an important degree, the future of confidence in American government will depend not on the leaders who failed their trust but on the foot-soldiers who did not and whom Americans can only hope will do the right thing now. Millions of acts of common decency and bureaucratic courage will be necessary before all Americans, and not just the storm victims, feel that they live, once again, in a political community and not in a savage and lawless swamp.

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