

The Tyrant Jean-Claude Duvalier Is Dead, but His Legacy Still Lives in UN-Occupied Haiti

Wednesday 8 October 2014, by [ANNIS Roger](#) (Date first published: 8 October 2014).

Jean-Claude Duvalier, the tyrant who ruled Haiti from 1971 to 1986, has died in Haiti at the age of 63. His death provides a moment for political reflection by the Haitian people, especially in view of the reality that so much of Duvalier's harsh political legacy remains alive and well in the island country.

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A UN Security Council foreign military occupation has entered its 11th year. It serves to bolster much of the authoritarian Duvalier legacy, which has always, at its heart, been about excluding the Haitian people from governing their own country.

"President for Life"

Duvalier was appointed "president for life" in 1971 by his dying father, Francois Duvalier. Known as "Papa Doc" for the medical education he received in his early years, the elder Duvalier muscled his way into power in 1957 and established one of the most ruthless dictatorships the world had ever known. He was 64 when he died.

Son Duvalier was an upstart playboy with zero qualifications to govern when he began his rule. He was 19 years old. He carried forward his father's legacy faithfully, becoming known as "Baby Doc." The pillars of his rule were the same as his father's, and included the ruthless, secret police called the *Tontons Macoutes* and their networks of domestic spies, prisons, torture chambers and dumping grounds for the thousands illegally assassinated.

Fear of the example of the Cuban Revolution that triumphed in 1959 was a compelling incentive for the United States and its allies to tolerate, and at times facilitate, Papa Doc's rule - including with funding that was interrupted briefly only during the Kennedy presidency. By the time Baby Doc assumed the family mantle, political radicalization was deepening throughout Latin America, notably in Chile. The big powers backing the Baby Doc dictatorship became very open as they showered it with aid funding and encouraged factory owners to set up shop in Haiti. Corruption, including the theft of aid money, was rampant and well-known to donor nations.

Laurent Dubois of Duke University explained to *The New York Times* [[1](#)], "[Son Duvalier] cultivated new connections with the US, seeking new types of investment in the country. The model of using small manufacturing to expand the economy - some talked of Haiti becoming the 'Taiwan of the Caribbean' - was a key part of his economic policy, though even he later admitted that its ultimate success in alleviating poverty was quite limited." (1)

The classic 1983 film *Bitter Cane*, filmed clandestinely in Haiti for six years, tells the story of the harsh years of Baby Doc. The later years of his rule saw the arrival of a devastating AIDS epidemic and the beginning of the phenomenon of large numbers of Haitians taking to boats and fleeing to the shores of the United States to seek refuge and new lives.

Haitian-born journalist Marjorie Valbrun conducted a series of interviews with Duvalier in France in 2003. She wrote in a 2011 essay in *The Washington Post* [2], "I got to know Duvalier as a man who is by turn intellectually dishonest, manipulative, even downright clueless."

By 1986, the game was up for Duvalier. As they have done so often in the long history of forging their nation, in 1985, the Haitian people rose up against incredible odds and in 1986 drove him from office. He was flown to exile in France aboard a US military plane on February 7 of that year.

Since then, the people have struggled heroically to place the country back on the revolutionary path begun with their astonishing and successful rebellion against slavery and for independence from 1791 to 1804. But they have been betrayed every step of the way by the North American and European powers as well as the Haitian elite.

It took four years of bitter struggle to finally win the first, post-Duvalier election, in November 1990. But the radical theologian who won that contest, Jean Bertrand Aristide, was overthrown only seven months after his inauguration. The coup was staged by the US-trained and supplied army that was forged during the disastrous 1915-1934 US military occupation of Haiti. (2)

The attempt at army rule lasted three years. It was thwarted by persistent, courageous popular protest and rebellion. In the end, the United States was obliged to facilitate the restoration of Aristide to serve out his presidential term.

The army managed to survive Duvalier's overthrow. It was not so lucky under Aristide - one of the last acts of his interrupted first term in office was to abolish the institution, in 1995.

Aristide was elected to a second term in 2000, once again promising radical improvements to the desperate social conditions in which the vast majority of Haitian people struggle to survive. But he was overthrown again, on February 29, 2004. This time, the dirty deed was performed by paramilitaries backed politically and otherwise by the United States, Canada and Europe.

Duvalier surprised Haiti and the world by secretly returning to the country in January 2011. His travel was facilitated by France. (3) Upon his return, he was briefly detained and charged with financial crimes. But he was soon living the high life and winning endless delays to the charges. He was also successfully delaying prosecution for human rights crimes he committed while in office.

During his comfortable exile, the United States did not call for Duvalier to be accountable for his crimes before Haitian or international courts. France and the United States have been silent since his return [3]. Key documents detailing US government relations with the Duvaliers remain classified.

Duvalier's Legacy Lives On

Shades of Duvalier's authoritarian political rule have become entrenched since the earthquake that devastated Haiti in January 2010. President Michel Martelly was a Duvalier admirer and appointed former Duvalier associates as advisors. He routinely invited Duvalier to state functions following the former dictator's return. He called for amnesty for the dictator's past crimes. Moreover the son of

the ex-dictator, Nicolas Duvalier, is one of Martelly's advisors (perhaps, Amy Wilentz suggests, as a minister without portfolio?). This fact alone is testimony that Duvalierism is still alive and lives on.

Martelly offered heartfelt condolences upon the dictator's death. He said in a statement, "On behalf of the entire government and the Haitian people, I want to seize this sad opportunity to transfer my sincere sympathies to the family, his close friends and supporters around the country."

Martelly has refused to convene elections to the country's senate, legislature and municipalities. As the terms of deputies and senators expire, political power is concentrated in his hands and those of his trusted confidantes. While at the UN in September, Martelly and his prime minister, Laurent Lamothe, told reporters they would likely rule by decree after January 12, 2015, the date on which the terms of most parliamentarians expire.

The popular uprising that overthrew Duvalier in 1986 continues to reverberate. Fear of similar uprisings has marked the policies of the big powers that dominate Haiti. They persist in annually renewing the military-police occupation force of the UN Security Council (known as MINUSTAH) that invaded and occupied Haiti in 2004 following the violent overthrow of Haiti's reform-minded president, Jean Bertrand Aristide.

As if the 2004 coup and then the earthquake were not enough, MINUSTAH came to visit another calamity on Haiti. In October 2010, the contingent of UN soldiers from Nepal was recklessly negligent in introducing the cholera bacteria to Haiti by failing to treat the sewage from its base astride Haiti's largest river system. The ongoing cholera epidemic has since killed more than 9,200 people and sickened more than 750,000.

The staged election of 2011 that brought Martelly to power was a centerpiece of the post-earthquake plans of the big powers. They financed that effort while disdainfully disregarding the advice of humanitarian agencies that the post-earthquake priority should be to assist Haitians in creating capacity to build housing for the hundreds of thousands in need, provide health care and clean drinking water, and create an economy to draw on Haiti's strengths, above all its agricultural potential.

Haiti's largest political party, *Fanmi Lavalas*, led by Aristide, was excluded from the election. That was one of the reasons why the Congressional Black Caucus in Washington condemned the vote and called for its cancellation [4]. Underlining the election's exclusionary character, Aristide was still living in exile in South Africa, unable to convince the post-earthquake government and its foreign overlords to permit him to return home. (4) Mainstream media in North America dutifully played along with the orchestrated, electoral charade.

A neo-Duvalierist economic model has been imposed on Haiti since the calamitous earthquake of 2010. It posits cheap labor as Haiti's greatest national asset and sweatshop factory investment as the key driving force for Haiti's economy. Foreign charities and NGOs are to keep the Haitian people from starving as the cheap labor economic model takes off. Former US President Bill Clinton and US presidential wannabe Hillary Clinton have been key proponents of that revisited and failed economic model.

Another sign of Duvalier's legacy is the failure of Haiti's justice system to vigorously prosecute him for the political violence of his 17-year rule. The stalling and prevarication of judges and courts have enjoyed the backing of the highest levels of government.

Michele Montas, a former journalist and a victim of Duvalier's regime told *The Washington Post* [5], "It's unfortunate he died in his bed and we were unable to try him. For the people who fought

against him, it's not over yet. It isn't just a fight against Jean-Claude, but the people who supported his administration."

Bernard Diederich, a New Zealand-born journalist who began covering Haiti in 1950 and interviewed Duvalier over four years for his 2011 book, *L'Héritier* (The Heir) told the *Miami Herald* [6], "Right up to recently, I received a call from a lawyer in Washington who was still working on putting him in prison for human rights violations. So those guys will now be able to retire their ticket and that is the end of that."

But the story is not over. The cases against Duvalier for financial and human rights crimes are winding their way through the Haitian judicial system. In February, a Haitian court reversed an earlier court ruling that threw out charges for political crimes. The lower court had said statutes of limitations as well as international law do not support the laying of such charges. Meanwhile, the laying of charges for financial crimes is before an appeal court. (5)

The Duvalier case is documented on the website of one of the leading legal agencies involved, the Boston-based Institute for Justice and Democracy in Haiti (IJDH) [7], and its partner office in Port au Prince, the *Bureau des Avocats Internationaux*.

Brian Concannon, director of the IJDH, says the prosecution of Duvalier's crimes should continue. "The case is as much about setting a precedent for protection of human rights as it is about securing a conviction of the man. Duvalier's death is not a reason to stop the fight for justice for his victims," he said.

A new book on Haiti has just been published and it is the best overview of the political, human rights and social challenges confronting the country in the aftermath of the January 2010 earthquake. It is authored by Fran Quigley, professor at the McKinney School of Law at Indiana University, and is titled, *How Human Rights Can Build Haiti*.

Quigley writes in the introduction that the pervasive state of poverty in Haiti and the extensive damage caused by the 2010 earthquake could have been avoided if Haiti's leaders followed the country's laws and were accountable to the people. What is uniquely important in the book is how it documents the role of the big foreign powers in preventing that course.

For the Haitian people, the struggle against foreign occupation and for national sovereignty is the path that will consign the Duvalier legacy to the dustbin once and for all.

Roger Annis

Footnotes

1. Laurent Dubois authored the 2011 book, *Haiti: The Aftershocks of History, a history of Haiti in the 19th and 20th centuries*. It is a companion book to his equally excellent 2004 *Avengers of the New World, a history of the Haitian Revolution of 1791-1804*.

2. The story of the US occupation of Haiti and how mass protests by Haitians brought it to an ignominious end is told well in the 2011 book, *Red and Black in Haiti: Radicalism, Conflict and Political Change*, by Michael Smith.

3. Duvalier's return to Haiti may have been intended as a short visit to facilitate him getting his hands on embezzled funds sitting in Swiss bank accounts. Authorities there have been reluctant to release the funds to him. If he could get in and out of the country untouched, he could better argue that they well and truly belonged to him. The funds were never returned to Haiti because no

prosecutor or judge has ever dared to sign a declaration that they were embezzled.

4. Wikileaks revealed the extensive effort by the US government to keep Aristide in exile following his 2004 overthrow. He finally managed to return in March 2011, one month before the second round presidential vote/selection that brought Martelly to power.

5. Estimates of the funds looted from Haiti's treasury by the fleeing Duvalier clan in 1986 run to \$100 million. According to Swiss news reports, about \$6 million sits in Swiss bank accounts. In 2011, the Swiss government adopted the "Duvalier Law" which allows authorities to freeze and confiscate allegedly looted funds from states unable to mount a case against a corrupt official. It reverses the burden of proof, requiring those accused to prove they obtained money legally. The Swiss government says the remaining funds will be returned to the Haitian treasury.

P.S.

* Truthout | News Analysis. Wednesday, 08 October 2014 10:23. Copyright, Truthout:
<http://www.truth-out.org/news/item/26681-the-tyrant-jean-claude-duvalier-is-dead-but-his-legacy-still-lives-in-un-occupied-haiti>

* Roger Annis is a coordinator of the Canada Haiti Action Network and an editor of its website. On the website is the two-page document Key dates in Haitian history. Books on the Duvalier family dynasty listed on the website include Papa Doc and the Tontons Macoutes, by Bernard Diederich and Al Burt; The Rainy Season, by Amy Wilentz; History of Repression and Rebellion in Haiti Under Dr. François Duvalier, 1957-1962, by Bernard Diederich (volume one of The Price of Blood); and (in French) L'Héritier: Jean-Claude Duvalier, 1971-86, by Bernard Diederich, (volume two of The Price of Blood). Roger Annis can be reached at rogerannis hotmail.com.

Footnotes

[1] http://www.nytimes.com/2014/10/05/world/americas/jean-claude-duvalier-haitis-baby-doc-dies-at-63.html?rref=world/americas&module=Header&version=context®ion=Header&action=click&contentCollection=Americas&pgtype=article&_r=0

[2] http://www.washingtonpost.com/world/the_americas/jean-claude-duvalier-ex-haitian-leader-known-as-baby-doc-dies-at-63/2014/10/04/ecdaa2bc-4be3-11e4-b72e-d60a9229cc10_story.html

[3] <http://www.cipamericas.org/archives/5927>

[4] <http://www.cepr.net/index.php/blogs/relief-and-reconstruction-watch/congressional-black-caucus-statement-on-elections>

[5] http://www.washingtonpost.com/world/the_americas/jean-claude-duvalier-ex-haitian-leader-known-as-baby-doc-dies-at-63/2014/10/04/ecdaa2bc-4be3-11e4-b72e-d60a9229cc10_story.html?tid=trending_strip_4

[6] <http://www.miamiherald.com/news/nation-world/world/americas/haiti/article2510234.html>

[7] <http://www.ijdh.org/advocacies/our-work/jean-claude-duvalier-prosecution/>