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Making the People Invisible

the prosecution of Jean-Claude “Baby Doc” Duvalier – another
fake solution to Haiti’s problems

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Abstract

Former dictator Jean-Claude “Baby Doc” Duvalier returned to Haiti 16th of January 2011. Since then several NGO:s and “human right experts” have urged the importance of his prosecution. This essay contains a discussion about Haitian people’s needs, and whether a prosecution of Duvalier is compatible with such needs, or whether it in fact takes focus from them. The situation of the Haitian people is described and the events that led to this situation are studied through Haiti’s history. The essay also contains discussions about these NGO:s and human rights experts’ role in Haiti, prioritization of certain human rights and the act of punishment, and a comparison of two notable Haiti researchers.

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Abbreviations

HRW.....	Human Rights Watch
IMT.....	International Monetary Fund
NGO.....	Non Governmental Organization
MINUSTAH.....	United Nations Stabilization Mission in Haiti
CIA.....	Central Intelligence Agency
FRAPH.....	Front for the Advancement and Progress of Haiti
IDB.....	Inter American Development Bank
IJDH.....	Institute For Justice and Democracy in Haiti
UNSC.....	United Nations Security Council
IHRC.....	Interim Haiti Recovery Commission

1 Introduction

Human Rights Watch (HRW), Amnesty, the UN and so called human rights experts have, since the return of former dictator Jean-Claude “Baby Doc” Duvalier to Haiti, expressed the importance of his prosecution. HRW urges, in an official letter to Hillary Clinton, the American government to support the Haitian governments making of such a prosecution. The over all attitude towards the prosecution seem to be that it is of great importance for Haiti and its government.

A question that comes to mind is; is this compatible with the Haitian population’s wishes and needs? Statistics tells us that a vast majority, between 50 and 75%, of the Haitian population live in a condition of extreme poverty, i.e. for less than 1 USD per day. For a people of which nearly everyone is on the verge of starvation, in a country where every day is a struggle for life, it seems reasonable to suggest that these peoples needs are of a quite different fashion than the need of redress for crimes committed decades ago, and, if there is a need for redress, it can be discussed by whom. For what reasons do the Haitian population live in such misery?

In this thesis I will study the causes of the Haitian people’s misery, the actions that led to these causes and the actors responsible for such action. I will then argue that the prosecution of Duvalier is counterproductive, since it focuses on one individual and civil and political rights, when the problem is of a group and its lack of satisfaction with social and economic rights. I will also argue that, if the Haitian people would be in need of redress, it would first and foremost be of a different shape than through a prosecution of Duvalier. Duvalier has committed unacceptable crimes and it might be of great importance to prosecute criminals, but in this situation other actors are responsible for far more misery than Duvalier. I will also argue that the prosecution might in fact take focus from some of the greatest problems in Haiti and the actors responsible for these problems.

1.1 Purpose of study

The purpose of this study is to discuss the need for a prosecution of Jean-Claude Duvalier and compare it with the most urgent need in Haiti. The study seeks to answer a couple of specific questions. Of what use is a prosecution of Duvalier for Haiti and its people? Would such a prosecution be equivalent with the Haitian people’s needs? What is it that Haitians need, first and foremost? And, if Haitians were in need of redress; redress by whom?

1.2 Method

To find answers to my questions I have first looked at the situation in Haiti right now. Then I analyzed different historical explanations to this situation by the help of various literature and media, of which I’ve picked two authors of opponent opinions to discuss. I have also compared the picture that American media gives with Anne Orford’s theory of identification

as a means for justification of intervention. I have then synthesized my findings by explaining what I thought the most relevant events in Haiti's history are for my point. When I had found the reasons of the Haitian situation in history, I analyzed recent events and comments about them and compared these comments with what I find to be the real situation. I found that the claims of what is needed do not match the reality, and therefore I emphasized the need for optional actions.

By coming to terms with my questions I have also used various concepts, such as "neocolonialism", which is a widespread method of approaching situations like the one in Haiti, and "neoliberalism" – a concept I've come across in my search for answers to the posed questions and which has had great significance in shaping Haiti's history. Other central concepts of this study are "the international community", "the west" and "hegemonic economy". These are common concepts in the theory of neocolonialism and all have important roles in the story of Haiti.

1.3 Theory and material

I first travelled to Haiti in 2008, and I came back to live there for four months during summer in 2009. I was lucky to have come in contact with a great Norwegian NGO called Project Haiti. With them I have worked with education for children and their families from slum areas in Port-au-Prince. I mention this because, when I've tried to find out the "truths" about Haiti and what's happened there, my perception is largely influenced by my experience with Haitians. Who are the Haitians, and in what ways have they influenced me?

First of all they are extremely poor. This is a fact that is overwhelmingly apparent almost wherever you go in Haiti. The streets are filled with begging people, of whom many are very young children. Most Haitians are very short, due to malnutrition. The slum areas cover most part of the cities, and in the slums people are lucky if they find shelter in one of the overcrowded shacks. Trucks deliver clean water since there is no functioning pipe system for it, and it is very expensive for an average Haitian. There are many more examples, but in short; for the people of Haiti, everyday is a struggle for life.

Secondly, the overall attitude towards the international community, and especially the US, the UN and all the NGO:s with reputations of corruption, as I have experienced, is one of distrust, reluctance and hatred. The few places in Haiti where the poverty is not overwhelmingly apparent are the luxury hotels and the expensive beach resorts. These places parking lots are filled with UN cars, cars that I have never seen near any slum area. I once visited a home of a high-ranking UN employee, and his house was huge and surrounded by a large green area with guards, garden workers and servants. I have never seen so much grass and clean space in Port-au-Prince – the rest of the city is overcrowded and filled with rubble and garbage. I heard they paid about 5000 USD per month for that mansion, a sum equivalent to what an average Haitian would live on for more than 13 and a half years.

When some friends of mine came to Haiti the days after the earthquake, they discovered that the airport had been occupied by US soldiers, controlling all in- and outgoing flights, sending many of the flights which contained humanitarian aid to Santo Domingo. Thus, even before digging in to Haiti's history I was very suspicious about foreign powers there.

When retelling history one must always try to find the “truth” – what events that really happened. This is of course impossible to do at exact precision. There are many versions of the Haitian history, as I have come to discover during my search for the true reasons of Haitian’s misery. I have come over up front lies, and many misunderstandings and exaggerations. Many have used the history of Haiti to make political arguments, one way or another, and shaped it the way their conviction needed it.

I have tried to take stand for the Haitian people. I believe that their abhorrence for the international community comes from somewhere, a belief that has been confirmed in most retellings of Haiti’s history that I have come over. But it has also been denied. Most articles I’ve read about Haiti in American news papers undermine the US’ impact there, and many even support it.

Professor in international law Anne Orford describes this phenomena in her article “Muscular Humanitarianism; Reading the Narratives of the New Interventionism”. She describes a justification of intervention through identification, and writes: “[t]hat imperialist character is associated with attributes including freedom, creativity, authority, civilization, power, democracy, sovereignty and wealth. The world of the colonies, or of the developing states in the post-World War II context, is a space in which the white man is imagined as having an enormous freedom to act and create ideal worlds”.¹

What Orford describes is applicable to the relationship between the US, it’s media and Haiti. The picture that the American media presents for its readers is not just a way for Americans to identify with the strong power who can “help” others to an “ideal world”, but also a way to make these Americans justify interventions. Noam Chomsky retells the story about the official authorization by Washington for an American oil company to sell oil to the brutal military coup makers against Jean-Bertand Aristide, a democratically elected president in Haiti, and how the American media failed to deliver this story even if it was easily accessible and presented by the Associated Press.² This is a clear example of the American media’s interest in presenting a picture of the US as an ideal sovereign that is needed in countries that are not.

My method then, to separate the “true” from the “untrue” sources, has been to read the story from as many perspectives and authors as possible, and the most recurring events I take to be closest to the truth – with a general distrust in authors who celebrate the international community’s doings in Haiti. Of course, some efforts made by the international community would have been good for Haitians, as I have experienced myself, but I find it to be a rarity rather than regularity.

My main references are made to literature written by Peter Hallward and Mats Lundahl. Hallward is a professor in philosophy and Lundahl is a professor in economics, and they clearly have different views regarding Haiti. Hallward’s main point is that the international community has caused Haiti to become the poor country that it is, using a neocolonial analysis, whereas Lundahl emphasises Haitian’s own “kleptocracy”.

¹ Orford, 1999: 687-688

² Chomsky, 2002:200-201

In an article in *the Guardian*³ Hallward describes the role of the international community in Haiti as devastating for its people. Lundahl responds to this in an article called “Hating the United States does not help Haiti”⁴, an article in which he derides Hallward by saying his article made him “ashamed” of being his college as a professor. Since Hallward blames the urbanization in Haiti on neoliberal reforms, Lundahl writes that “the Marxist reserve army has been mobilized”.⁵

When Lundahl discredits Hallward for accusing liberalism as a reason why the earthquake struck so hard in Haiti, he suggests that Hallward would have preferred Fidel Castro’s politics – and brings up the lack of freedom of speech.⁶ This becomes ridiculous, since Hallward obviously isn’t an opponent to that freedom, and accusing him for being that just because he discredits liberalism seems very far fetched.

Hallward and Lundahl’s narratives of Haiti are clearly ways of expressing political standpoints. The aim of this essay is not to make such political points, why their theories will not be further discussed. But I do think they both could benefit from thinking “out of the box”, and maybe learning a thing or two from each other’s standpoints, instead of being stuck in one way of thinking and analyzing.

Hallward does blame many of Haiti’s problems on liberal reforms and by doing so he obviously steps on some people’s toes. Lundahl on the other hand always tries to bring out the positive effects of such reforms and describes Haiti’s economy in detail. This is something Hallward could learn from – describing the neoliberal reforms that he talks about in more detail. In retrospect though, seeing to what has happened in Haiti, I can understand that Hallward feels obliged to put light on the unsuccessful role the international community has had in Haiti, as I also do, rather than bringing forth the “goodness” of it as Lundahl seems to prioritize.

Lundahl also discredits Hallward for putting the blame of Haiti’s poverty on the international community since, as he describes it, “in Haiti, politics has always been a concern solely for small cliques who have attempted to wring private incomes out of the population, through the control of the state treasury”. He talks about a “catastrophic political tradition” in Haiti – and puts the blame of its problems on this tradition.⁷ He does this without connecting this “tradition” to the obvious; the colonial era. A population that has seen no other societal system than the one of brutal violence, hierarchies based on skin colour, forced labour and economic profit at the expense of the majority’s wellbeing doesn’t have much other influence. Where Lundahl suggests this way of running a country comes from, if not from the colonial era, remains unanswered.

It is impossible to look back at Haiti’s history without drawing connections to neocolonial theory. According to this theory former colonies are still controlled by their former masters, not by means of actual occupation but by means of an open market that lets

³ *The Guardian*, “Our role in Haiti’s Plight”, 13th of January 2010

⁴ Lundahl, 2011:221-226

⁵ Lundahl, 2011:221

⁶ Lundahl, 2011:223

⁷ Lundahl, 2011: 222

foreign powers control domestic economy. Even if the former colonies are, at least officially, politically self-determined, the west's economic hegemony infiltrates them so that western powers can continue their exploitation. Sovereignty in these countries is therefore only fictional. Robert J. C. Young notes that "in the neocolonial situation, the ruling class constitutes an elite that operates in complicity with the needs of international capital for its own benefit".⁸ This is exactly what's happening in Haiti, which also Hallward emphasizes but Lundahl fails to stress. I have still chosen to study Lundahl's work though, since I believe that only looking at one side of the story could create a less honest picture of it.

⁸ Young, 2001:45

2 The betrayal of the international community and the trouble in Haiti

A majority of the Haitian population live in extreme poverty. Statistics are rarely made about Haiti, but the ones that do exist say between 50-75% live in this condition, of less than one USD per day, and about 85% live for less than two USD per day. The richest 5%, usually referred to as the mulatto elite, own more than 40% of all assets. Around 50% are analphabetic.

With or without statistics one can with absolute certainty say that a majority of the 11 million Haitians who still live in Haiti live in misery. Most live in slum areas, in small houses without solid roofs, water or electricity. For most Haitians, every day is a struggle for life. A full stomach is an exception rather than regularity. The streets are surrounded by begging children, women and men, and the slum areas overcrowded with people on the verge of starvation. The Haitian population are at this moment, and have been for a long time, in a desperate situation.

Focus on Haiti in foreign media increased enormously after the 2010 earthquake. Pictures of a devastated capital were on tabloids all over the world, which contributed to the global attention and compassion directed at the people of Haiti. But the misery of the people of the poorest country in the western hemisphere has been a fact long before the 2010 catastrophe, and still is. This chapter is an attempt to bring clarity to the reasons of this misery. Why is it that the hurricanes in the Caribbean have had so much more devastating effects on Haiti than on its neighbouring countries? Why did the earthquake in Haiti kill 250 000 people when a bigger earthquake in Chile “only” killed about 600? To find answers to these questions, we look back at Haiti’s history.

It was the native Taino Indians who first called the island Haiti (“land of mountains”). They were tobacco-smoking artisans who lived a peaceful life on corn and cassava until Christopher Columbus arrived in Haiti in 1492. Unfortunately for the Taino, the island was filled with gold and natural resources and the Spanish occupation was the first step in an endless chain of international interference and exploitation. When the Taino population was eradicated the Spanish started to import slaves from Africa, but the colony didn’t become a popular settlement for Europeans until a century later. After attacks from both Dutch and English hijackers France took over the western part of Hispaniola.

Haiti, or Saint-Domingue, became the richest colony in the world, providing two thirds of Frances colonial exports and, at the time of the French revolution, 60% of the whole worlds coffee market.⁹ Haiti was lush, its land was perfect to grow sugar, coffee, tobacco, cotton, coco and indigo upon and at 1790 40 000 white settlers lived there with 28 000 “coloured free” people and 452 000 black slaves.¹⁰ In the beginning the “coloured free”

⁹ Lundahl, 1993: 181

¹⁰ Lundahl, 1993: 182

people were allowed to enjoy the same rights as any white person but the system turned more and more apartheid-like. As for slaves in other colonies the situation for the Haitian slaves was unendurable. Colonizers ruled over them with torture. They could be whipped and then have salt or smoulder put in the sores, have their arms, legs or genitals cut off, being fed with gun powder and then lit with matches so they exploded, burned alive or having to eat their own excrement, to mention a few of the torture methods that were recurring in a slaves life.¹¹ A third of all imported slaves died within a couple of years of their arrival.

14th of August 1791 a voodoo ceremony was held where some slaves started discussing a revolution against their colonial masters. It resulted in a 12-year-long war of which the slaves came out as victors, led by former slave Toussaint l'Ouverture and later Jean-Jacques Dessalines, who named himself emperor of Haiti and claimed the country's independence from France.

The colonial period left great scars that would come to shape Haiti's future tremendously. The Europeans killed the entire native population and replaced it with another, whom they ruled over with racism, strict hierarchy, violence, torture, forced labour and with economic profit as only aim. When the former Africans had had enough and kicked the perpetrators out of the country, they were left in an intricate situation, the people as scarred and torn as the country. With the colonial society as the only role model, most of the future rulers came to govern with the same fixation of hierarchies, often based on skin colour, and with short-sighted economic cravings, violence and corruption.

It would take 21 years for Haiti to be recognized as a sovereign state by another country after its own proclamation of independence in 1804, and the threat of their former and other colonial exploiters forced Haitian politicians to haul large amount of money and resources to the army. France demanded Haiti to pay the enormous sum of 150 million francs, the equivalent of ten times the annual revenues in Haiti (later reduced to 90 million francs or between 17 and 40 billion USD by today's worth¹²), for their freedom – a fee that Haiti struggled to pay off for one and a half century. In addition many of the plantations and farms were destroyed after the war of independence, and exportation dropped enormously.

In the 19th century the land in Haiti started becoming split up between the people into small patches of land for self-supporting families and soon almost every Haitian had access to an own piece of land. Instead of working at large plantations producing wares for export, most Haitians became self-supporting, producing only what they ate.

While most part of the population was growing their land, the elite fought a war over who should rule in a chaotic political environment. Between 1843 and 1915 Haiti had 22 presidents, of which only one ruled its full period. Power was brutally exchanged between cliques within the rich elite while the masses were left passive. The desire to become a ruler was almost exclusionary economically motivated.¹³ During the last part of the 19th century

¹¹ Lundahl, 1993: 184-185

¹² *The Guardian*, "France's debt of dishonour to Haiti", 16th of August 2010

¹³ Lundahl, 1993: 237-238

80% of all Haiti's expenditures went to paying back the "debt" to France.¹⁴ Many rulers took large foreign loans and by the beginning of the 20th century the country was almost bankrupt and Haitians had lost their trust in authorities and politicians.

Guillaume Sam tried his luck as president in 1915 and started off by killing 167 political prisoners. He was then brutally murdered and ripped a part, his body parts being carried around Port au Prince as trophies. Later the same year Haiti was occupied by the US. The motivation for the occupation is said to have been strategic, although Woodrow Wilson claimed democracy and humanitarian motives to be the cause. The northern peninsula Mole St Nicolas was of importance for the protection of the Panama Canal, and the US suspected Germany might take over Haiti during the war.¹⁵ It is also said that American banks that had lent money to the Haitian government urged Wilson to invade Haiti.¹⁶

In American history books the occupation is described as successful. Others call it colonialism¹⁷, and rightly so. The Americans managed to build a network of roads but only by reintroducing forced labour (i.e. slavery). They imposed marionette presidents, all from the mulatto elite, and many of the occupiers had racist opinions.¹⁸

The Americans wanted to improve the plantation and exportation agriculture in Haiti and started a new school system that was based on plantation agriculture rather than humanities, as Haitian schools were at the time of the occupation. No other knowledge than agriculture and basic reading and writing was taught at the American schools. Since Haiti didn't have plantations any longer and since the agricultural methods taught at the new schools demanded large economic resources, the Americans failed to improve farming in Haiti, even though the American schools were given a much larger budget than the Haitian schools.¹⁹

The Haitian economy was completely controlled by the US and remained so until 1947. An American bank took over the only commercial bank in Haiti, the law that forbid foreigners to take control over Haitian companies was erased and the economy opened for American imports.²⁰ The little money left in the Haitian public treasury paid all expenditures during the occupation, off which most part went to paying back the "debt" to France. The Americans made sure to pay it back for Haiti, but only by taking a loan from the US.²¹ Haiti was now "in debt" to the United States instead of France.

Haitians tried to stand up against the occupation by means of a revolution, but American soldiers killed the revolution's leader, Charlemagne Peralte. Peralte's head was then nailed to a door in his hometown, and pictures of it were spread by the American

¹⁴ *London Review of Books*, "Who removed Aristide?", 15th of April 2004

¹⁵ Lundahl, 1993: 198, Hallward, 2004: 17

¹⁶ Browne, 2010

¹⁷ Lundahl, 1993: 204, Hallward, 2004: 17

¹⁸ Lundahl, 1993: 203

¹⁹ Lundahl, 1993: 201

²⁰ Browne, 2010

²¹ Lundahl, 1993: 202-203

soldiers to scare others from revolting against them.²² The US soldiers then trained an army, which was later called the *Garde d'Haiti*, to stand up against Peralte's fighters. The army remained the major power entity even after the occupation. It became a way for presidents to keep their power, and was used only against the Haitian people. Some generals from the army even took turns as presidents themselves.

When the Americans left in 1934, during – and probably because of – the Great Depression, no improvements had been made in the Haitian economy.²³ They had liquidated the social resistance of the farmers and killed between 5 000 and 15 000 people.²⁴

Once again Haiti had been left by an outside power with no other political role model than the one based on hierarchies of skin colour, exploitation and violence. Money continued to be the motivation to take over power and violence continued to be the method of reaching it, and changes of power were frequent. The economy had some ups and downs, but all in all Haiti remained a very poor country.

In 1957 a man called François “Papa Doc” Duvalier was elected president after a presidential campaign where he'd promised to repair the country, eradicate the corruption and lessen the segregation. It didn't take long for him to break his promises. As a true dictator, he liquidated all possible resistance and declared himself president for life. He put political opponents in prison or killed them, fired or killed generals in the army and priests in the church who he saw as a threat, kicked out foreign journalists, illegalized radio and took control over the school system, the unions and all media. He created a brutal terror group called the *tonton macoutes*, who became an extension of his own arms and whom he used to eradicate all threats to his power. They took orders straight from Papa Doc and kidnapped and brutally killed everyone he wished, and sometimes they sent corpses and blood to universities, drug companies and hospitals in the US, a business that would bring millions of dollars to Duvalier.²⁵ Duvalier spent 30% of all state capital on the army, tonton macoutes and the police force. One of the reasons he could afford this was to let foreign companies invest in Haiti.

Even if the United States were sceptic towards Duvalier at first it turned out that he, through cheap labour and exportations, were of economic benefit for the US. He made sure that salaries remained extremely low and let American companies produce everything between baseballs to electronics in Haiti. He also had a “trustworthy” anticommunist agenda.²⁶

When he died in 1971 his son, 19-year-old Jean-Claude “Baby Doc” Duvalier, was declared president for life. He had grown up within the walls of the palace and been taught at a school for the elite, without much experience with politics or the Haitian society at large. When he married an elite mulatto woman the people lost their trust in him. He turned out to

²² Hallward, 2004: 17

²³ Lundahl, 1993: 201.

²⁴ Hallward, 2004: 27

²⁵ Hallward, 2004:18

²⁶ Hallward, 2004:27, see also *The Post*, “Haiti's never-ending Tragedy has American Roots”, 17th of January 2010

be even more corrupt than his father, though not as brutal. The Duvaliers were admitted huge loans from the international community, of which almost nothing went to the Haitian population.²⁷ Though, the government's main revenue came to be American aid money. American companies in Haiti expanded from 7 to 300 during the Duvalier era and Hillary and Bill Clinton spent their honeymoon in Baby Doc's Haiti.²⁸

When the US, Canada and Mexico worried that the African Swine Flue would come to the continent through Haiti, they killed the 1,3 million native Haitian pigs. They were replaced with American pigs, whose nutrition costs were way larger than a Haitian persons', or compensated with less money than they were worth. Pigs used to have great importance for Haitians, and were used in the same way as a savings account – many families saved a pig until a day when they needed money, often when a son or a daughter started school. One pig could be traded for two years in school for a child,²⁹ and after the pigs were eradicated the school population dropped by 60%.³⁰

After 15 years as president Baby Doc was overthrown and fled into exile to France, with 1,6 billion USD from the state treasury.³¹ The two Duvaliers had together ruled for 29 years when the US, during the uprising against Baby Doc, decided to take back their economic support for Haiti for, as they said, reasons connected to crimes against human rights.³²

The years after the Duvalier dynasty fell were chaotic and changes of power were again violent. The IMF and the World Bank seized the opportunity to pressure Haiti to reforms such as creating more sweatshops where workers earned only two USD per day and worked in slave-like conditions, and removing all import tolls. Cheap American rice took over Haiti's own well functioning rice market and made the rice production in Haiti go bankrupt before raising the prices. When Haitian farmers protested by attacking the trucks that transported the American rice the trucks were equipped with armed soldiers who came to kill many farmers.³³ Still today, American rice have monopoly on the Haitian market. The reforms had devastating consequences for Haitian farming. Mass urbanisation emptied the countryside and filled the city slums.

In 1990 a democratic election took place. Jean-Bertrand Aristide came out as the winner over, amongst others, US-supported former World Bank officer Marc Bazin.³⁴ Aristide was a leftish priest, popular amongst the poor, and had been part of pro-democratic popular movements and grass root organizations ever since Baby Doc ruled. He'd been in office for only eight months when the army overthrew him in a brutal coup where thousands were killed and even more fled the country. Aristide fled into exile and the leader of the coup,

²⁷ *London Review of Books*, "Who removed Aristide?", 15th of April 2004

²⁸ *CBC News*, "Haiti's Jean-Claude Duvalier", 21st of January 2011

²⁹ Read more at <http://multinationalmonitor.org/hyper/issues/1985/12/ebert-porkbarrel.html>, last visited 20th of May 2011

³⁰ *The New Yorker*, "Beyond the Mountains – III", 11th of December 1989

³¹ Lundahl, 1993: 249

³² Lundahl, 1993: 251

³³ *Internationalen*, "Skuldernas Haiti", 22nd of January 2010

³⁴ Chomsky, 2002:199

army general Raoul Cédras, took over power. He came to rule, as brutally as the Duvaliers, for three years.

During Aristides time as president, the opposition and the army had been financed by the US,³⁵ and so was the Cédras coup and dictatorship, even if the Americans officially denounced it by an “embargo” that was supposed to file liens, freeze bank accounts, stop trading and seize US homes owned by coup supporters. The embargo had “exceptions” for around 800 American companies, one of them an oil company (Texaco) who supported the junta with oil, an action that had been officially approved by Washington and the George H.W. Bush administration.³⁶ Haiti’s then major money making business, assembly plant factories, was authorized to continue – but only if production included American raw materials – and the US kept importing baseballs and black market gasoline from regime supporters.³⁷ In 1993 US import from Haiti instead increased by 50% and more than 370 million USD worth of goods were exchanged between the countries.³⁸ No houses were seized and no liens were filed.³⁹

In addition the CIA cooperated with the junta in a narcotics project and paid members of it for information up until 1991 – this while CIA officers have confirmed that CIA was sceptic about Aristide.⁴⁰ In an internal report, CIA has suggested Aristide was mentally ill, but the doctor referred to as source of this statement never existed. After Aristide had left an organization called FRAPH, whose leader was a former CIA employee, killed around a thousand members of Aristide’s party Lavalas. The leader, Emmanuel Constant, has said that he started the organization on instructions from the CIA to “balance pro-Aristide forces and spy on extremist”.⁴¹

After almost three years in power Cédras said he might step down and the US government responded by promising that assets would be frozen if he didn’t do so before January 15th 1993, though, in January when Cédras still had power nothing happened.⁴² Why the US brought Aristide back to Haiti in 1994 have been discussed, and some speculate that it might have been a compensation for the embarrassing fiasco in Rwanda the same year, others that the immigration to the US had increased under Cédras.

Though, this “act of kindness” didn’t come for free. Aristide was made to rule according to the International Monetary Fund (IMF) and the World Bank’s wishes, with cuts in social spending, privatisation and shortened period in office. Salaries, that were already

³⁵ *London Review of Books*, “Who removed Aristide?”, 15th of April 2004

³⁶ Chomsky, 2002: 200-201

³⁷ *The Seattle Times*, “Poorly Enforced Sanctions Botch U.S. Embargo Of Haiti?”, November 3rd 1994

³⁸ *The Seattle Times*, “Americans Step Up Business With Haiti Despite Sanctions - Humanitarian Exemption Lets Trade Increase”, February 18th 1994

³⁹ *The Seattle Times*, “Poorly Enforced Sanctions Botch U.S. Embargo Of Haiti?”, November 3rd 1994

⁴⁰ *New York Times*, “C.I.A. formed Haitian Unit Later Tied to Narcotics Trade”, November 14th 1993, see also *Los Angeles Times*, “Congress to Probe CIA-Haiti Ties: Intelligence: Members of both houses say they will investigate. Reports say agency financed some leaders involved in coup”, November 2nd 1993

⁴¹ *The Independent*, “CIA 'helped to set up terror group' in Haiti”, October 7th 1994. On the accusation of Aristide as mentally ill, see also *London Review of Books*, “Who removed Aristide?”, 15th of April 2004

⁴² *The Seattle Times*, “Poorly Enforced Sanctions Botch U.S. Embargo Of Haiti?”, November 3rd 1994

extremely low, had to be lowered. The agricultural production had to produce goods for exports, mainly demanded in North American supermarkets, rather than food for Haitians. The toll for rice had to be cut down from 50 to three per cent. Haiti, who had imported only 7000 tons of rice in 1985 imported 22 000 tons in 2002.⁴³ The same thing happened to the chicken and the sugar industry.

Aristide also had to agree on giving FRAPH members amnesty, even if they'd killed many of his supporters and he was made to share the power with the opposition, whom he had won over with great margins in the election.⁴⁴ Prosper Avril, who had ruled Haiti a couple of years after the Duvaliers, was part of the opposition against Aristide. Avril had been an extremely brutal leader, during his time in office he had, as an example, had three victims of torture displayed on national TV as atrocity propaganda. When Haitians came to his house in 1994 to arrest him, American soldiers turned up to dissuade them. Avril escaped and the police found, amongst other things, a cache of weapons in his house. When he later formed a political party, who had no support from the Haitian people, the International Republican Institute invited him to develop the opposition against Aristide.⁴⁵

In 1996 new elections took place. René Preval was elected president until 2001 and would have an even more difficult time with pressure from outside than Aristide. When Aristide was elected again in 2001 he would again be suppressed by foreign powers. Amongst other things, he had been promised loans for drinking water, health improvement, road improvement and education from the Inter-American Development Bank (IDB), which the US made sure to stop.⁴⁶ Haiti already had a large debt, a debt that, according to international law, should have been cancelled since it derived from the Duvalier era. Despite pressure from the World Bank Aristide refused to privatise the phone net, the cement industry and the banks.

During this time in office Aristide demanded France to pay back the illegal debt that Haiti had been forced to pay after the proclamation of independence. His calculation, including interest and adjusted inflation, was that France now owed Haiti 21,685,135,571.48 USD.⁴⁷ At the Institute for Justice and Democracy in Haiti's homepage one can read; "In 1825, France illegally extorted an 'independence debt' from Haiti that amounts to \$21 billion in today's dollars. In effect, Haiti was forced to pay for its freedom. The crushing burden of the debt is the principle historic cause of Haiti's underdevelopment, and is directly responsible for today's grinding poverty in Haiti."⁴⁸ Aristides call wasn't answered.

France and the US removed him from power again in 2004, after what Peter Hallward calls a "campaign to image Lavalas as authoritarian and corrupt in its basic structure".⁴⁹ A campaign that seriously undermined their work and made the pro- and anti-Aristide camps

⁴³ Hallward, 2004: 33

⁴⁴ Hallward, 2004:31

⁴⁵ *London Review of Books*, "Who removed Aristide?", 15th of April 2004

⁴⁶ *London Review of Books*, "Who removed Aristide?", 15th of April 2004

⁴⁷ *London Review of Books*, "Who removed Aristide?", 15th of April 2004

⁴⁸ <http://ijdh.org/restitution-of-haitis-independence-debt-from-france>, last visited 22nd of May 2011

⁴⁹ Hallward, 2004:44

more and more hostile towards each other, the anti camp clearly a minority and mainly consisting of the rich, American supported mulatto elite. France, the US and Canada already had troops on their way when the United Nations Security Council gave their approval of an intervention in Haiti. Aristide was dropped off, at comfortable distance, in the Central African Republic and Haiti was occupied by the US, France and Canada for three months before a UN “stabilisation” army, called MINUSTAH, took over. Ironically, the authors of a French report regarding the relationship between France and Haiti brought up that this very year was the jubilee year of Haiti’s proclamation of independence from France – 200 years ago – and declared it was their responsibility, as a former colonizer, to “take their civilization mission seriously”.⁵⁰

Hallward declares that the obvious reason for the occupation was to eradicate the majority’s support for Aristide and Lavalas, who in a research from March 2002 proved to be four times as popular as all the opposition parties together. He also reports that, during the first week of the occupation, the occupiers stayed mainly in Lavalas supporter areas and killed only supporters of Lavalas.⁵¹

In 2006 new elections took place and Préval won once again. Since then he’s been accused of being an inactive, let-go leader who has let Americans control Haitian politics. Reactions from the government were extremely slow after the hurricanes in 2008 and the earthquake in 2010, that is said to have killed between 230 000 and 300 000 people and made about three million people homeless. The days after the earthquake the only international airport in Haiti was occupied by American soldiers who directed all in- and outgoing flights, often turning away flights containing medical equipment for the many hurt people. They claimed that the reason for bringing over all the American soldiers was that it was needed for safety and security. Safety and security was prioritized over saving dying people’s lives. Even if Haiti isn’t a very violent country, the rumour that it is have allowed the UN stabilization troops to stay, year after year in a country that is not at war or anywhere close to end up in war.

Later, a commission called the Interim Haiti Recovery Commission (IHRC) consisting of 50% Haitians and 50% foreigners, including Bill Clinton, was installed to control the aid money from the international community. An anonymous source tells me that the Haitians in the committee were given piles of documents, important for decision making, to read the night before the meeting where the decision would be made – the piles so big it would be impossible for them to read through it all during one night. In addition most of the economic support promised by the international community hasn’t reached Haiti. A couple of months ago a new president was elected, this time a pop singer called Michel “Sweet Micky” Martelly. MINUSTAH is still in the country, even after several unmotivated killings of Haitians, mainly in slum areas and during demonstrations against the government and against MINUSTAH itself, and trustworthy accusations of both having spread cholera in the country and being corrupt and distanced from the Haitian population – a population who remains extremely poor.

⁵⁰ Hallward, 2004:23

⁵¹ Hallward, 2004: 49

Conclusion

The history of Haiti let's us know that Haitians have been abused and taken advantage off for centuries. They were kidnapped and taken to a country they didn't know to slave for other countries wealth; a wealth they never got to lay a hand on. Instead they were brutally tortured and killed.

We have learned that when they protested they were put in a huge debt, so that their country never would get up and going. Through history we have seen how the Haitian people have been exploited and used and occupied. A foreign super power has controlled them by creating an army whose enemies were only the Haitian people and by supporting brutal dictators, who tortured and exploited Haitians, but who proved to be profitable for the international community. When free elections took place, the people's elected president was put down by foreign super powers twice.

During all this, the Haitian people have suffered and starved while no one stood on their side. Dishonest politicians have promised to help, but such promises have proved to be empty. Actions of "aid" have only made Haiti more dependent on foreign powers and the situation for the Haitian people worse. Again and again the people of this country have been used, put in poverty and then the targets of fake solutions to the real problems they have and their voices have over and over been silenced.

It becomes clear, through this history, that the reason for the devastating effects the earthquake and the hurricanes had on Haiti compared to neighbouring countries is that Haiti never had the chance to build a stable society due to the international community's, mainly Spain, France, the US, the World Bank and the IMF's actions.

3 Baby Doc's return

Jean-Claude “Baby Doc” Duvalier was 19 years old when he took over power in Haiti after his deceased father, François “Papa Doc” Duvalier. Having refused at first, suggesting his older sister take over the power, he came to rule for 15 years, from 1971 to 1986. He ruled with a clear authoritarian, non-democratic leadership, and surely committed crimes against international law and human rights.

After having lived in exile since 1986 he returned to Haiti on the 16th of January 2011, one year after the catastrophic earthquake. Many say the motivation for his return was to get access to a Swiss bank account,⁵² others claim issues with health or that he wants to help rebuild Haiti.⁵³

Following his return he was arrested, later taken into custody and is currently under investigation. The Institute for Justice and Democracy in Haiti (IJDH, a Haitian and American cooperation) have started to investigate crimes against human rights and will represent Duvalier's victims in court. Since his return Amnesty, Human Rights Watch (HRW), the United Nations and so called “human rights experts” have expressed the great importance of his prosecution. "It is vital that the Haitian authorities pursue this kind of case because it could show Haitians that the state still functions," Reed Brody from HRW has said.⁵⁴ In an official letter to Hillary Clinton HRW urges the US to support the prosecution.⁵⁵ The UN High Commissioner for Human Rights Navi Pillay has said, "Haiti has an obligation to investigate the well-documented serious human rights violations that occurred during the rule of Mr. Duvalier, and to prosecute those responsible for them." IJDH's tagline is “fighting for the human rights of Haiti's poor”. All involved seem to express the importance of the prosecution to restore “justice” in Haiti.

This chapter contains a brief discussion around the word “justice”, the (un)importance of punishment and the controversies regarding these human rights experts' claims about Duvalier and his prosecution.

Would punishment lead to justice?

The human rights organizations and experts are right in that Duvalier most certainly has committed crimes against human rights. But would a prosecution against Jean-Claude Duvalier lead to justice for Haitians? What is justice?

According to philosopher John Rawls theory about the “original position behind veil of ignorance” one can only make just decisions if one is under the veil – that is, imagining the

⁵² *The New York Times*, “Jean-Claude Duvalier”, 21st of January 2011

⁵³ *Christian Science Monitor*, “Why “Baby Doc” Jean-Claude Duvalier returned to Haiti: 5 theories”, 19th of January 2011

⁵⁴ *Christian Science Monitor*, “How strong are charges against Haiti's Jean-Claude Duvalier? Very, say experts”, 19th of January 2011

⁵⁵ *Human Rights Watch*, “Haiti: Letter to US Secretary of State Hillary Clinton”, 1st of March 2011

world without knowing who you will embody after the decision. Facts about social standard, (un)employment, religion, class, ethnicity etc is unknown while the decision is made. After the decision, the decision-makers randomly embody any one person in the world. This way all decisions that would have been made at the expense of others would be avoided. Also, one would make decisions that would benefit the majority, since it is the most likely place to end up. At least, one most probably wouldn't let anyone have a living standard below "minimally decent".

What is meant by minimally decent is a subject for discussion, a discussion that will not appear here, but one can easily state that the majority of Haitian's lives do not reach this standard. Would this theory of justice promote the prosecution of Duvalier, then? Before returning to that question, we turn to some basic principles of punishment.

Some promote punishment because of its supposed deterrent effects. Knowing about the punishment will, according to this theory, keep possible perpetrators from acting out what would have been punished. Many, amongst others victim's rights expert Brianne McGonigle, points out that there is no empirical evidence that trials have a deterrent effect.⁵⁶

With regard to the Duvalier-case, one can easily argue that it doesn't. Firstly, Duvalier most certainly knew about the unlawfulness in many of his acts. Secondly, punishment for similar crimes to the ones Duvalier committed has been performed before Duvalier committed the crimes. He was obviously not deterred by either of above made points, and thirdly, one can argue that some "mad" people will not even consider neither the lawfulness in their acts nor being punished for them – and commit the crimes anyway. A perpetrator might, consequently, consider the punishment and still choose to commit the crime, or refrain from even considering the punishment and still commit the crime.

Another method of discussing the use of punishment is to apply a consequential, utilitarian perspective, according to which, in resemblance to Rawls theory, all acts have to be acted out only after considering the consequences of it. The purpose of all acts should be to make as many as possible as happy as possible. One of the problems with this theory is that it is impossible to foresee exactly what future consequences might be. Still, looking back at previous events, one can make a fairly probable estimation.

What, then, could the consequences of a prosecution of Duvalier be? Firstly, he would most probably be punished, which, most probably, would make him unhappy. On the other hand, his victims would get redress, which, as many might suggest, would make them suffer less, i.e. become happier. A prosecution might also be beneficiary for a majority if it had a deterrent effect, though, as discussed above, one can argue that it doesn't in this case.

Another, and the most significant consequence, I argue, would be that focus would, probably, be taken from the most urgent problem in Haiti – the one of the majority living in extreme poverty – and therefore cause many people suffering. One could argue that prosecuting Duvalier wouldn't be an obstacle for the aim of satisfaction of the Haitian people's socioeconomic rights, but considering the great focus NGO:s, human rights organizations, the UN and foreign governments lay on the prosecution, and the lack of

⁵⁶ McGonigle, 2009: 129

interest many of them seem to have in the majority of the Haitian people, I argue that it is an obstacle, or, at least that it is not the most important thing for these institutions to focus on at this time. Other acts, such as working towards the satisfaction and respect of the people's socioeconomic rights, would make more people happy, or less unhappy, sooner.

The discussion here is not about punishment versus no punishment. It's a discussion about whether the punishment should be prioritized over other actions that in this case obviously are more urgent for more people. A decision made behind the veil of ignorance maybe wouldn't object to the idea of punishing Duvalier – since one person would be punished to satisfy many peoples need of redress. But while choosing between prosecuting Duvalier and other acts – one would have chosen acts that would benefit even more people, such as the majority of the Haitian people.

Therefore, by examining the situation through a utilitarian and Rawlsian perspective one would come to the conclusion that a prosecution is not the right thing to do right now, because it might be counterproductive to the aim of making as many as possible as happy as possible, and it would not lead to justice for the Haitian population.

Social and economic rights vs. civil and political rights?

What is confounding is that these so called human rights experts overlook the Haitians needs so extensively. The Haitians suffer seriously from the disrespect and lack of satisfaction of socioeconomic rights; yet, these experts' urges the importance of civil and political rights. This amounts into a discussion about which rights, if any, should be prioritized.

Civil and political rights have been called “first generation rights”. These rights, such as the right to vote and the right to a fair trial, are prioritized over social and economic rights, or “second generation rights”, such as more material rights; the right to drinking water, shelter and food. The argument is that socioeconomic rights would be too expensive for a state to respect; therefore they are put aside in favour of civil and political rights.⁵⁷

I argue that it would be impossible for a people to fight for their civil and political rights if some sort of minimum material standard wasn't achieved first. A person who suffers from hunger would prioritize food before the right to vote, for example. If this condition is permanent, this person will probably never be able to fight for her right to vote.

Some state that second generation rights comes “by itself” after satisfaction with the first generation. I believe the situation in Haiti illustrates that there are great problems with this assumption. Maybe dividing rights into categories like this, making some “more important” than others, could be dangerous. After all – it's the socioeconomic rights who keep us alive, and without them we wouldn't be able to enjoy any other rights.

I argue that the different types of rights are dependent on each other, not one on the other, but I also argue that one kind could be more urgent than the other. In the case of Haiti, I believe socioeconomic rights should be prioritized at this moment, since it is needed to keep the people alive, which, according to me, must be prioritized over anything else.

⁵⁷ Orend, 2002:30-31

When some kind of minimum material standard is reached in Haiti, human right experts can start talking about the right to a fair trial.

The invisible people and fake solutions to real problems

The claims from the “human rights experts” are exceptionally controversial. They put all their attention on one individual when the furthestmost problem in Haiti is that of a group – the majority. How can HRW urge the US and Hillary Clinton to help Haiti prosecute a dictator whose power wouldn’t have been possible without the support of the US?⁵⁸ How can they urge France to do the same thing when France has hosted this dictator for 25 years and let him live in luxury in their country, with houses on the Riviera and villas in Paris?⁵⁹ Whose interests do these “human rights experts” serve?

Brody’s statement that the prosecution is important to ensure Haitians that “the state still functions” becomes absurd, seeing as this state cannot provide the population with even a minimally decent life standard. What’s more, if “fighting for the human rights of Haiti’s poor” is what IJDH is aiming for, which their tagline suggests, they should, I argue, use other methods than putting large amounts of money and recourses on a prosecution that serve victims for crimes committed almost 30 years ago. They should instead serve the majority, as they themselves call it “Haiti’s poor”, who are in urgent need of first and foremost clean water, food, functioning healthcare and other basic needs.

When looking back at the history of Haiti we see the story of a people who over and over have been used and exploited by foreign powers. The Haitians have been poor for centuries, and foreigners have claimed to “aid” their country ever since the first US occupation, before which economic exploitation was an official intention. If one wants to be a conspirator, one can easily see the efficiency of keeping a people quiet by keeping them hungry.

Again and again the Haitians have been objects of fake solutions to real problems. To mention a few; the occupations, which haven’t been appreciated by Haitians but where said to have been made for their sake, the UN stabilization army, which fails to really support the Haitians, the many NGO:s that are accused for corruption, the reforms demanded by the IMF and the World bank, which also were claimed to be for Haitians best but have ended up being way more sufficient for US economy than for Haitian, and which has lowered the living standard of Haitians by dropping salaries to existential minimum. The pattern is clear: foreigners have benefitted and Haitians have been made poor and silenced.

Of course, I do not want to undermine the suffering Duvalier’s victims have been exposed to; it is of the most horrible kind. But seeing as most Haitians today live under life-threatening conditions one must prioritize their needs before these victim’s. Being an “expert” in human rights should, as I consider, involve caring about the majority of the people. These so called experts fail to do so by prioritizing the prosecution to other more

⁵⁸ *Human Rights Watch*, “Haiti: Letter to US Secretary of State Hillary Clinton”, 1st of March 2011

⁵⁹ *Human Rights Watch*, “Haiti: France Should Support the Haitian Government’s Prosecution of Jean-Claude Duvalier”, 2nd of March 2001

urgent work, an act that makes the poor majority of Haitians again invisible. The prosecution is, I argue, another fake solution to the obvious and most urgent problem in Haiti.

4 Conclusion

My aim in this study has not been to find an answer to why the international community again and again has intervened in the internal affairs of Haiti, though some of the theories I have come across include economic profit, the “western world’s” failure to realize that black people actually can take care of themselves and, as Orford describes, the need to identify oneself as a righteous people through intervention. With or without explanations of this trend, it has made Haitians a population who suffer from extreme poverty.

My aim has instead been to emphasise the importance of putting an end to this trend. I have wanted to express the need for the international community to start caring for the Haitian people for real, and that these “human rights experts” take their responsibility and stop deriving focus from the real problems Haitians have.

Haitians are extremely poor. Many people live on the verge of starvation. Therefore, the prosecution of Jean-Claude Duvalier is not the most important thing to do right now. It is in fact counter productive, since it takes focus from the real problems – the lack of satisfaction with social and economic rights, which is the most important thing to do something about right now.

The prosecution also takes focus from those who caused the Haitian people’s poverty. History tells us that the responsibility of Haitian’s misery lie in the hands of the international community. If the Haitian people were in need of redress it would be from the USA, France, the IMF, the World Bank and the rest of the international community more than from Jean-Claude Duvalier. These countries and institutions have systematically used and exploited Haiti. Duvalier has committed the worst of crimes, but that was almost three decades ago, and he is only one of many in the history of Haiti. Only a few still suffer from his actions, while millions suffer from poverty.

Haitians have been overlooked and ignored for centuries. We; the international community, the human rights organizations and experts must start seeing, hearing and respecting the Haitian people.

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