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Ruthless and Corrupt Haitian Dictator "Bébé Doc" Duvalier Dies Unpunished

by George Rodríguez
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As recently as February this year, victims of former Haitian dictator Jean-Claude "Bébé Doc" Duvalier (1971-1986) enthusiastically received a three-judge panel’s ruling that the tyrant the people deposed almost three decades ago could be charged with crimes against humanity—besides corruption.

The landmark decision was a high point in the slow legal proceedings against Duvalier, whose return to Haiti in January 2011 ended a 25-year exile of luxury in France, where he was flown by the US in the midst of a popular uprising. Thus ended the brutal and corrupt Duvalier rule started in 1957 by the infamous François "Papa Doc" Duvalier (1957-1971), self-declared president for life since 1964.

As the judges issued their decision on Feb. 20, the courtroom was filled with joy, as victims of the younger Duvalier—who was a chubby 19-year-old when he inherited power—caught a glimpse of hope that justice would come (NotiCen, Sept 18, 2014).

But hope came to a sudden end when Duvalier died Oct. 4 of a heart attack. Thus impunity prevailed in the first black independent nation (1804) in Latin America and the Caribbean, formed as a result of the successful slave revolution that began in 1791.

History of health problems

Upon returning to Haiti, Duvalier was briefly detained on charges of corruption, including misappropriation of funds, and later placed under a lax and luxurious house arrest (NotiCen, Jan. 16, 2014). The slow legal proceedings against him included a lengthy, five-hour hearing, which took place early last year, after which Duvalier was rushed to a hospital on Feb. 28. "The day has been demanding for him. He was quickly hospitalized after having been questioned for close to five hours by the judges," a source close to the former dictator told reporters.

Almost a week later, Duvalier's lawyer Reynold Georges—who did not say where his patient was receiving medical treatment—told reporters that on the eve of the hearing his client "was not feeling well," and added that the advice he gave Duvalier was for the former dictator not to testify. "But he decided otherwise," added Georges.

Human rights groups said government was dragging its feet

The legal proceedings dragged on, with Duvalier absent from court sessions, and, on Jan. 16 this year, Amnesty International (AI) and Human Rights Watch (HRW) reported a judicial "lack of political will and unacceptable delays" allowing Duvalier to evade justice.

"Three years ago, shortly after his return to the country, on Jan. 16, 2011, following a 25-year exile period in France, Haitian authorities reopened criminal proceedings against the former dictator,"
the international human rights watchdogs stated in a communiqué. "He has been charged with serious human rights violations ... as well as corruption. Nevertheless, proceedings are stalemated."

Javier Zúñiga, an adviser for AI’s regional programs, said, "It seems as if Haitian authorities have no intention to thoroughly investigate violations committed during the Duvalier years."

Now, the case seems to be closed. The news quickly spread the evening of Oct. 4. Georges then confirmed Duvalier had died of a heart attack.

One of the earliest reactions was that HRW’s Reed Brody, a human rights lawyer and a spokesperson for the New York-based organization, who regretted Duvalier was not tried. "Duvalier’s death deprives Haitians of what could have been the most important human rights trial in the country’s history," said Brody, who assisted victims build a criminal case against the former dictator. "Hundreds of political prisoners held in a network of prisons died from mistreatment or were victims of extrajudicial killings."

Victims of the younger Duvalier’s dictatorship have said that, during his 15-year reign of repression, Bébé Doc was directly responsible for a number of cases of illegal arrests and extrajudicial executions. Brody said, "A fair trial for Duvalier could have ended the impunity that has characterized Haiti’s past and will likely plague its future."

But Payam Akhavan, an Iranian lawyer and UN prosecutor who in 2011 advised Haitian President Michel "Sweet Micky" Martelly's government on prosecuting Duvalier for crimes against humanity, said, "Those who were the victims of his reign are still living in Haiti."

And as Nicole Magloire, a victim of Duvalier’s régime, told the Latin American news network TeleSUR, "It is very important to remember that the fight is not over because Duvalier was not tried for crimes against humanity. The legal process will continue against his accomplices."

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