

Introduction: On History and Justice

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In a special section of this issue of *Small Axe* and of the one to follow (*Small Axe* 44, July 2014), we focus on how historians continue to interrogate the temporal, disciplinary, and geographical boundaries of the Caribbean. The essays range across histories of citizenship, exile, and diaspora; the nexus between nation-state boundaries, intra-Caribbean, and transoceanic migrations; empire and its legacies; race-making, slavery, and freedom; popular culture and consciousness. Collectively, the contributing scholars pose new questions about what constitutes a “historical archive,” engaging in an ongoing and dynamic conversation between present and past.

My introduction focuses on recent developments that throw into sharp relief the specific ways history matters for the Caribbean. In September 2012, the prime minister of St. Vincent and the Grenadines, Ralph Gonsalves, informed the UN General Assembly of the intentions of the Caribbean Community (CARICOM) to seek reparations from several European governments for the slave trade and indigenous genocide. That same week a ruling of the Dominican Republic Constitutional Court stripped thousands of Haitian Dominicans of citizenship.¹ The histories behind these two decisions range across Caribbean space and time and yet intertwine in one country—Haiti. Exploring these momentous announcements from the vantage point of what they mean for Haiti also illustrates how the unresolved injustices of the past echo in the present.² I hope that these words and the essays

1 “Fourteen Caribbean Nations Sue European Countries for Slavery Reparations,” Al Jazeera America, 27 September 2013, america.aljazeera.com; Ezequiel Abiú Lopez and Danica Coto, “Dominican Republic to End Citizenship for Haitian-Descended Residents,” NBC Latino, 28 September 2013, nbc-latino.com.

2 I will also discuss the Caribbean Court of Justice’s October decision in Jamaican Shanique Myrie’s case against the Barbados government.

that follow challenge readers to think about the strengths, silences, and urgencies of contemporary Caribbean historiography.

In a scene from Haitian director Raoul Peck's 2009 film *Moloch tropical*, a street vendor imagines the French and Haitian governments negotiating over reparations for the Jean-Pierre Boyer dictatorship's 1825 indemnity payment to France. Boyer's payment was a deal with the devil, and it sent the country into a spiral of state rapaciousness and impoverishment.³ In a reference to the Jean-Bertrand Aristide government's 2003 campaign to get France to repay the money, Peck's street vendor enacts the film's fictional president, Jean de Théogane, demanding a precise figure (US\$21,685,135,571.48 was the 2003 estimate of what France owed Haiti). After many refusals, the French relent and agree to pay it all back—*except* for the forty-eight cents. Aghast, de Théogane cries, "But what will be left for the Haitian people?"

Kim Ives of New York-based *Haiti Liberté* dismissed the film for legitimizing the 2004 coup and for "ridiculing . . . the perfectly reasonable, legally sound and widely hailed call for reparations."⁴ Bypassing the debate about Peck's motivations, I want to offer a different reading of the joke's significance. Peck never said that reparations were unwarranted; rather, the joke raises doubts about whether the millions of Haitians who should benefit from reparations would ever receive the money or have a say in how it was spent. *Moloch tropical's* foray into the debate about reparations reminds us that politicians and socially engaged intellectuals do not necessarily share the same vision of what it means to reckon honestly with the past. A sustained conversation about reparations is a chance to think about Haiti's historic place in the Caribbean as well as the role that national governments play in efforts to address living histories of unfree migration and forced labor.

CARICOM (which Haiti joined in 2002) has retained the British law firm Leigh Day and Company to represent it in a reparations lawsuit against the governments of Britain, France, and the Netherlands.⁵ Historians Hilary Beckles, who leads CARICOM's Regional Reparations Commission, and Verene Shepherd, chair of Jamaica's National Reparations Committee, worked closely with CARICOM on moving the legal challenge forward.⁶ As Shepherd notes, the demand for reparations is "not about money": "[We want to create] compensation mechanisms that would contribute to the development of the claimant states." Shepherd argues that reparations should include an apology for the slave trade, investment in development infrastructure, and serious efforts to "end racism." This intellectual leadership exemplifies the role that historians can play in a restorative justice approach to the "juridification of the past."⁷

3 Laurent Dubois, *Haiti: The Aftershocks of History* (New York: Metropolitan Books, 2012), 100–101; see also Laurent Dubois, "Confronting the Legacies of Slavery," *New York Times*, 28 October 2013.

4 Kim Ives, "'Moloch Tropical': A Venomous Farce," *This Week in Haiti*, 23–29 June 2010; republished by the Canadian Haiti Action Network at www.canadahaitiaction.ca/node/438.

5 On Leigh Day and the former Mau Mau detainees' lawsuit against the British government, see David M. Anderson, "Mau Mau in the High Court and the 'Lost' British Empire Archives: Colonial Conspiracy or Bureaucratic Bungle?," *Journal of Imperial and Commonwealth History* 39, no. 5 (2011): 699–716.

6 Caribbean Community Secretariat (hereafter CARICOM Secretariat), "Communiqué Issued at the Conclusion of the First Regional Conference on Reparations," 24 September 2013, www.caricom.org; Kevin Edmonds, "CARICOM Moves Forward with Reparations Committee," *North American Congress on Latin America*, 8 August 2013, nacla.org/blog/2013/8/8/caricom-moves-forward-reparations-committee.

7 Verene Shepherd, quoted in "CARICOM to Demand European Compensation for Slavery," *Argentina Independent*, 4 August 2013; on historians, restorative justice, and "juridification of the past," see Caroline Elkins, "Alchemy of Evidence:

CARICOM's demand for reparations for the transatlantic slave trade is legally distinct from Aristide's campaign to have the 1825 indemnity repaid. The historical connection is nevertheless obvious, and the British response to the 2013 announcements has been similar to that of their 2003 French counterparts. At that time French president Jacques Chirac warned, "Before bringing up claims of this nature, I cannot stress enough to the authorities of Haiti the need to be very vigilant about, how should I say, the nature of their actions and their regime."⁸ Shortly after these threatening words, a joint French, US, and Canadian military force removed Aristide from office, ending Haiti's official campaign for reparations. Ten years on, the British government is adamant that it is not responsible for injustices from the colonial era.⁹ In a recent editorial the *Economist* echoed the UK government's views, noting, "Most former slave colonies in the Caribbean are now fairly successful middle-income countries, or better." The Bahamas and Barbados have high gross domestic products, while Jamaica and Guyana "are less prosperous; but only Haiti ranks among the world's poorest. Any assistance to the region should be carefully targeted; and should surely stem from today's needs, not the wrongs of the past."¹⁰ This discursive reinvention of reparations as *assistance* was evident in Chirac's 2003 comment that he felt "sympathy" for Haiti but that France already provided the country with sufficient "aid."¹¹ This implies that Western aid to independent Caribbean states cancels out any obligations for past colonial crimes.

Opponents of reparations also argue that the legal expiration date has passed because there are no survivors or perpetrators who can be brought to court. Furthermore, according to the *Economist*, "Few of history's great wrongs have been smoothed over with cash." Such rhetorical strategies reduce reparations demands to a banal legal claim for damages (which Verene Shepherd's words clearly illustrate is a misinterpretation). The *Economist* also suggests that even "today's needs" are not enough to justify reparations. Those governments who would spend reparations money responsibly do not need it, while those who need it have demonstrated that they cannot spend money responsibly. "Careful targeting" (tutelage and oversight from those who would pay the money) would be necessary to ensure that reparations were properly administered.

This situation of imperial tutelage is precisely where Haiti now finds itself. The 2004 coup was followed by military occupation under the direction of the UN Stabilisation Mission in Haiti (MINUSTAH). The Haitian National Police and MINUSTAH have suppressed Haiti's popular democratic movement.¹² In the wake of the 2010 earthquake, the Interim Reconstruction Commission—ostensibly directed by the Haitian government but really controlled by Bill Clinton and including Haitian

Mau Mau, the British Empire, and the High Court of Justice," *Journal of Imperial and Commonwealth History* 39, no. 5 (2011): 731–48; Hilary McD. Beckles, *Britain's Black Debt: Reparations for Caribbean Slavery and Native Genocide* (Kingston: University of the West Indies Press, 2013).

8 Jacqueline Charles, "Aristide Pushes for Restitution from France," *Miami Herald*, 18 December 2003; republished at www.latinamericanstudies.org/haiti/haiti-restitution.htm.

9 UK foreign secretary William Hague stated that compensation for the Mau Mau victims did not "establish a precedent in relation to any other former British colonial administration." "UK to Compensate Kenya's Mau Mau Torture Victims," *Guardian*, 6 June 2013.

10 "Blood Money: Pressure Grows for Compensation for the Caribbean Trade," *Economist*, 5 October 2013.

11 Charles, "Aristide Pushes for Restitution."

12 Peter Hallward, *Damming the Flood: Haiti, Aristide, and the Politics of Containment* (London: Verso Books, 2007).

members whose views were mostly ignored—oversaw rebuilding for two years.¹³ The Michel Martelly government legitimizes a system that privileges foreign investment and strategic interests over democracy. The 2010 earthquake and the ongoing tragedies of internal displacement and cholera testify to the failure of Haiti’s occupation regime.¹⁴

Thousands of Haitians flee across the border and risk a dangerous and debased existence as indentured workers in the Dominican Republic.¹⁵ On 23 September the Dominican Constitutional Court ruled that persons born on Dominican soil since 1929 to Haitian parents who were or are both undocumented migrants are no longer automatically Dominican citizens. They must apply for citizenship and could be turned down. The ruling is the latest in a series of new citizenship and immigration rules that discriminate against Haitian migrants and Dominicans of Haitian ancestry. The Dominican military has increased militarization of the border and claims that it has deported at least sixty-eight thousand Haitians caught entering the Dominican Republic illegally since 2011.¹⁶ Here are the words of Epifanía St. Chals, who has lost her Dominican citizenship:

My father arrived here in 1963 from Haiti, and my mother in 1970. They worked hard all their lives in the cane fields. . . . All of their children were born here. A few weeks ago I presented my newborn daughter [for a birth certificate], and they said they could not [give it to me] because my identity had to be revalidated. They tell you to your face that you are not Dominican, and that hurts a lot because I was born here, and because they are stealing the rights also of my daughters.¹⁷

The ruling exempts octogenarians born before 1929—the year before the official ascent to power of dictator Rafael Trujillo, who ordered the massacre of up to twenty thousand Dominican citizens and residents of Haitian ancestry.

The Dominican Republic is not a CARICOM member, but CARICOM and the Dominican Republic signed a free trade agreement in 2000, and the Forum of the Caribbean Group of African, Caribbean, and Pacific States (Cariforum) is made up of CARICOM’s fifteen members plus the Dominican Republic. CARICOM initially responded cautiously, expressing concern that the ruling could render as many as 210,000 people stateless and urging the Dominican government to “adopt measures to protect the human rights and interests of those made vulnerable by this ruling and its grievous effects.”¹⁸ By the end of November 2013, in the wake of news of the killing and expulsion of people of Haitian ancestry, CARICOM finally condemned the ruling as an “abrogation of the rights

13 “Letter from the Haitian Members of the Interim Haiti Reconstruction Commission to Co-chairmen of the Commission,” 14 December 2010; reprinted by the Canada Haiti Action Network, www.canadahaitiacion.ca/content/protest-letter-haitian-members-interim-haiti-reconstruction-commission.

14 Justin Podur, *Haiti’s New Dictatorship: The Coup, the Earthquake, and the UN Occupation* (Toronto: Between the Lines, 2012).

15 Richard Lee Turits, “A World Destroyed, A Nation Imposed: The 1937 Massacre in the Dominican Republic,” *Hispanic American Historical Review* 82, no. 3 (2002): 589–635.

16 Abiú Lopez and Coto, “Dominican Republic to End Citizenship”; UNICEF, “Statement Attributable to UNICEF on the Constitutional Court Decision on Dominican Persons of Haitian Descent,” 9 October 2013, www.unicef.org/media/media_70619.html.

17 Melissa Silva Franco, “República Dominicana retira nacionalidad a 250,000 descendientes de haitianos,” *Nacional* (Venezuela), 22 October 2013.

18 CARICOM Secretariat, “Statement on the Ruling of the Dominican Republic Constitutional Court on Nationality,” 17 October 2013, www.caricom.org/jsp/pressreleases/press_releases_2013/pres222_13.jsp.

that flow from citizenship” that had led to the “forced deportation to Haiti of persons claiming to be Dominican citizens with no linguistic or familial ties to that country.” CARICOM also suspended the Dominican Republic’s bid for membership, and Gonsalves is lobbying for the Dominican Republic’s suspension from the Bolivarian Alliance of the Americas and PetroCaribe.¹⁹

However, CARICOM intervention on this issue is no substitute for a clear position on the situation of Haitian sugarcane workers in the Dominican Republic, or the situation in Haiti that leads people into such work. Since Haiti joined the organization, the closest that CARICOM has come to taking a bold pro-human rights stance on any matter to do with Haiti and its diaspora was a tepid effort to broker a deal between Aristide and his opponents in the run-up to the 2004 coup.²⁰ After the 2010 earthquake, most CARICOM states sent relief supplies and personnel to Haiti. Despite promises, no coordination or support was forthcoming from the CARICOM Secretariat for these efforts, which proved too costly for individual countries to maintain.²¹

Since the Haitian Revolution, the United States and France have sought to isolate Haiti from the rest of the Caribbean in order to delegitimize revolution as an option for other Caribbean societies. Haiti is the only CARICOM member that reports no trade at all within CARICOM, a reflection of the country’s unofficial economic status as a US satellite.²² However, the sporadic quality of CARICOM’s engagement with Haiti reflects deeper fragmentation. Politicians do not seem to see strategic or economic value in doing the sustained diplomatic work necessary to gain an understanding of Haiti’s complicated political landscape.²³ This raises the issue of the Caribbean Court of Justice’s (CCJ) October ruling in the case of Jamaican Shanique Myrie, another major legal development of late 2013. Myrie was humiliated by Barbadian customs officials in 2011 and then sent back to Jamaica without being allowed to enter Barbados. She took the Barbados government to court, arguing that Barbadian authorities had violated her rights as a CARICOM citizen. The CCJ’s ruling in her favor affirms freedom of movement within Caricom for CARICOM citizens, unless they are deemed to be “undesirable persons or persons who may become a charge on public funds.” What does this ruling mean for Haitian citizens given the impoverishment of most Haitians and the country’s isolation from most of its CARICOM neighbors?²⁴

The *Moloch tropical* street vendor’s punch line (“But what will be left for the Haitian people?”) may be too prescient to be funny. CARICOM’s Regional Reparations Committee is tasked with highlighting “the special case of Reparations for Haiti,” but the Martelly government sent no

19 “Gonsalves Calls for Suspension of Dominican Republic from PetroCaribe”, *I-Witness News*, 13 November 2013; Rickey Singh, “Gonsalves Calls for Stronger Caricom Stance on D/Republic/Haitian Issue,” *Trinidad Express*, 13 November 2013; Peter Richards, “Caricom Chastises Dominican Republic over Deportations,” Inter Press Service News Agency, 27 November 2013.

20 For a Caricom perspective on these efforts, see Reginald Dumas, *An Encounter with Haiti: Notes of a Special Advisor* (Port of Spain, Trinidad and Tobago: MediaNet, 2008); on the longer history of Haiti’s relationship with Caricom, see Matthew Smith, “An Island among Islands: Haiti’s Strange Relationship with the Caribbean Community,” *Social and Economic Studies* 54, no. 3 (2005): 176–95.

21 Erica Virtue, “Jamaica Pulls Out of Haiti,” *Jamaica Observer*, 18 March 2010.

22 See CARICOM Secretariat member page for “Haiti,” statements of intraregional exports and imports.

23 Dumas, *Encounter with Haiti*. One exception is former Jamaican prime minister P. J. Patterson, whose engagements with Haiti began when he supported Haiti’s 1974 bid for Caricom membership. See Smith, “Island among Islands.”

24 J. Emile Ferdinand, “Op-Ed: What the Shanique Myrie Case Means for Caribbean Law,” *Caribbean Journal*, 8 October 2013.

representative to the September CARICOM Reparations Conference.²⁵ Given the current occupation of Haiti, there is a very real possibility that reparations paid to Haiti will end up lining the pockets of Western interests and antidemocratic Haitian elites who are responsible for the poverty of the overwhelmingly majority of the population. I am not suggesting that, in engaging more consistently with Haiti, CARICOM should take a moralizing, high-handed, and simplistic approach. Such attitudes characterize the attitudes of Western governments and, unfortunately, many European and North American supporters of Aristide, who often cannot tell the difference between Haiti's multifaceted popular democracy movement and the man who was, for a time, its most prominent symbol. Still, reparations are connected to the crisis of occupation in postcoup and postearthquake Haiti, and the situation of Haitian migrant workers and their descendants in the Dominican Republic.

Instrumentalizing ancestors as relevant only insofar as they are useful to the living is a dangerous colonization of the past. However the contributions in this special section challenge historians and nonhistorians alike to think anew about why the past is never entirely "past." Caribbean historiography has a proud tradition of recognizing the regional and international importance of Haiti's revolutionary past, but there has not been the same engagement with Haiti's more recent historical realities. Very few anglophone Caribbean historians speak Kreyòl, know much about postrevolutionary Haitian history, or conduct research in Haiti.²⁶ The contributions in this special section explore the historical background to contemporary issues of sovereignty, sustainability, and social equity that shape Caribbean realities. The authors revisit, challenge, and redefine some of the dominant frameworks of analysis in Caribbean history and connect their own research to the broader question of what it means to write histories of the Caribbean. What fills the spaces of the most urgent silences in our ongoing dialogue between past and present?²⁷ And what are historians' responsibilities when, as in Haiti's case, there are grave implications to demanding that those silences give up their secrets?

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25 CARICOM Secretariat, "Communiqué."

26 Jamaican historian Matthew J. Smith, coeditor of and contributor to this special section, and Trinidadian literary theorist J. Michael Dash are exceptions. Smith directed the UWI/Haiti Initiative, which brought eighty students to the Mona and St. Augustine campuses to complete their university education free of charge after the 2010 earthquake (CARICOM Secretariat, "UWI Assisting Haitian University Students," 27 October 2010; Anastasia Cunningham, "Haitian Students Resilient and Strong," *Gleaner*, 12 January 2011). Smith has argued that the "relative neglect" of Haiti in the anglophone Caribbean "fuels great misunderstanding of Haiti's problems." See Matthew Smith, "Comments on Reginald Dumas, *An Encounter with Haiti* . . ." (delivered at the Thirty-Fourth Annual Meeting of the Caribbean Studies Association Book Launch, Kingston, Jamaica, 4 June 2009), www.normangirvan.info/smith-review-encounter-with-haiti/.

27 Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History* (Boston: Beacon, 1995).