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The Lost Haitian Generation and the 1826 “French Debt”: The Case for Restitution to Haiti¹

Charlot Lucien*

My name is Charlot Lucien, and I appreciate your attending such a critical symposium. I will put on my storyteller’s hat while evoking an unprecedented international event that took place in 1825 and demanding restitution for Haiti and what I call the lost Haitian generation. I am part of it, and many of you are.

In 1986, the Duvalier regime collapsed, about 160 years after the 1825 event that we call the “debt”. We Haitians then dreamed of the bright democratic horizons, booming tourism, and economic stability ahead. Some whom the Duvalier regime had exiled dreamed of returning to help rebuild their country. As a young college graduate, I left Haiti in October 1990, the day before two candidates were to submit their presidential nomination papers to the National Electoral

¹ Text of a speech delivered by Charlot Lucien at the Haiti: Reparations and Restitution Symposium presented by UNIVERSITY OF MIAMI INTER-AMERICAN LAW REVIEW on March 24, 2023. Endnotes are as they appear in the original text of Mr. Lucien’s speech, with changes made by the UNIVERSITY OF MIAMI INTER-AMERICAN LAW REVIEW to conform citations to A UNIFORM SYSTEM OF CITATION (21st ed. 2020).

* Charlot Lucien is an Osher Lifelong Learning Institute (OLLI) scholar at the University of Massachusetts (Boston), where he presents lectures focusing on the historical connections between the U.S. and Haiti as part of his Master’s Degree in International Relations. He has presented for years on Haiti’s culture and history in various academic and cultural venues in the U.S., France, Haiti, and Canada, often examining the intersections between the U.S. abolitionist movement and the Haitian revolution (*Mapping Haiti Onto the U.S. History*). A Haitian storyteller, visual artist, and the founder of the Haitian Artists Assembly of Massachusetts, he often uses art to raise awareness about civil rights and humanitarian issues impacting Haitians in Haiti and abroad and to help change entrenched stereotyped narratives about Haiti.

Council in Haiti's first post-dictatorship election. Some violent confrontations were expected.

I had made up my mind to travel to the US to study for a few years and then return to my country. For years, I was the only family member who had resisted pressing appeals to drop everything and move to Boston . . .

Why did I finally travel? Because I was assured that I would never find a decent job in Haiti without making compromises with some government powerbroker; I was assured that the student street protests I had participated in and my editorial cartoons in the newspaper *Le Nouvelliste* would come back to haunt me; I knew that my dreams of revamping my grandparents' fields in Torbeck would never materialize. They would just remain a dream.

I was already aware that colonialism had contributed to replicating corrupt institutions and dictatorial regimes, as demonstrated in a seminal publication, *Why Nations Fail*, by Acemoglu and Robinson¹. However, I was particularly struck by the New York Times 2022 Ransom series and the 2021 publication "Haiti-France, Le prix de la Dette, le Rapport Mackau"². They helped me pinpoint, with complex data and excruciating details, how the past, especially the 1825 debt, heavily impacted my present life and decisions about my future, including my hopes to return and build a family. I became part of the lost and the wandering generation . . . Why?

Let's look at the facts. Let's look at what took place in July 1825: "The debt". As we learned today, these 150 million francs were set up for **25,838** French beneficiaries³, according to François Blancpain, analyzing the data in "Un siècle de relations financières entre Haiti et la France." Quoting French economist Thomas Piketty, it is the equivalent of some \$30 billion euros⁴ in today's currency and possibly led to the following:

1) Haiti, a nascent nation, a beacon of freedom, turned into a dysfunctional state for years, what Rolph Trouillot describes as the State, a predatory state, "against the Nation"⁵.

2) This predatory state's levy of murderous coffee taxes on the nation's poor to pay debts at the expense of investment in infrastructures, hospitals, schools, and technology undermined or just sabotaged my grandparents' opportunities for a decent life. As they toiled and sweat, Haitian finances were restructured to pay a double debt to the *Crédit Industriel et Commercial* Bank in the 1870s, then

a triple debt to the American Citibank at the beginning of the 20th century, most likely denying the nation to invest, export and enjoy the relative prosperity achieved by many other nations it helped to propel to freedom.⁶

My former mentors, Gérard Gourgue, a constitutional law professor, Roger Gaillard, a post-colonial historian, several times chastised me in my youth: "*Charlot, yo pa fè listwa avèk les si/ Charlot, One doesn't write history with "Ifs."*

But for the sake of argument . . . what IF there were no such so-called debt? Wouldn't Haitian educators such as Claudine Gay, the first black woman president of Harvard University, Samuel Pierre, a prominent world scientist living in Canada, Carl Racine, the first Haitian American Attorney General in DC – and I could throw a few more names in France or Canada - wouldn't they be thriving in Haiti, coaching young Haitian minds and structuring good governance mechanisms for it society or its institutions?

What if the lost Haitian generation had not been lost on foreign lands due to the cumulative effects of loss of agency, generational deprivation, oppressive regimes, or plain poverty?

We are now at the end of an intellectually intense journey among people of good faith, of different academic backgrounds, races, ethnicities, and generations. It is fair to assume that we all concur on the fundamental premise that certain core principles validate our sense of shared humanity and test our moral and intellectual decency. Some of these principles, at the risk of sounding cliché, are anchored in justice, fairness, the rule of law, and the respect of some international norms, even when they sound utopic or seemingly unattainable.

Such ideals drove a class of people in France and Haiti in 1789 and 1804 to dismantle structures and infrastructures of serfdom or slavery built on injustice, classism, racism, and on the backs of men, women, and children. These are the same principles that prompted in the sixties, the surge of decolonization moves in Africa or a successful African American Civil Rights movement in the US.

There is a large body of scholarly work that speaks to the rationale of reparations. I have yet to fully assess all its intricacies, dimensions, and implications. Consequently, I will focus on the notion of restitution, which seems such a clear case in the face of many

legal, procedural, humanitarian, and international relations considerations.

Here is a nation that has experienced the unbearable colonial legacy⁷ of human suffering, economic underdevelopment, extractive institutions, and destructive migration patterns toward Europe, Africa, North America, the Dominican Republic, and many Caribbean and Latin territories, resulting in a considerable brain drain - **the lost Haitian generation**-, painful family separations and numerous other bad outcomes, over close to 198 years.

Are we to assume that geography or culture would condemn the first black republic of the World to such destitution, dictatorship, and poverty as some social scientists sometimes speculate?

Are we to assume, in the case of restitution, that some common opposite arguments are to be taken at face value or even entertained?

Are we to assume, whether today or back in 1826, that a “treaty” is valid when invaders show up by your shores with 13 gunboats and 500 canons, asking for your signature on an extortion document?⁸

What about the principle of the nullification of contracts signed under duress?

Are some entitled to claim that they are not responsible for their parents’ legal mischief or misdeeds when they are enjoying the fruits of such misdeeds, while others are deprived of their basic humanity⁹? From reading “Les chaînes de la dette” it becomes clear that it is not only individual heirs who profited from the debt. The French state did as well, as reported by the research of the August 2022 New York Times series. A revealing statement, some might say egregious, quoted by the newspaper on page 22, shows the dire, extraordinary predicament Haiti found itself in its search for international acceptance. A French officer wrote the following to the Baron de Mackau after following payment in gold by the Haitian government:

“They don’t know which way to turn; after trying domestic loans, patriotic subscriptions, forced donations, sales of public property, they finally settled on the worst of options . . . 10 years of exorbitant taxes that are so out of proportion to the achievable resources of the country, that when each one sells all that he possesses, and then sells himself, not even half of the sums demanded will be collected.”¹⁰

We have to continue to ponder.

1. Are we to entertain the validity of claims based on a far-fetched notion of the French coffers' incapacity to pay? It is most possible that the Bank Cr dit Industriel and Commercial Bank, or the American National City Bank, both of whom were involved in the subsequent pilfering of the Haitian economies, would laugh clients off and sue them and their estate if they were to request debt forgiveness and allow them to quietly enjoy their house because they are no longer able to pay. So why different restitution standards?

Are we to be concerned by the mechanisms and methodology of restitution, by the absence of solid Haitian institutions as a pretext to delay or circumvent? We can undoubtedly debate these points, but that shouldn't preclude the preliminary steps of restitution:

Acknowledge the misdeed. I was in Derry in Northern Ireland in July last year, on the square where British Prime Minister David Cameron offered an unequivocal apology in June 2010 for the 1972 Bloody Sunday Massacre of 14 young Irish demonstrators. I quote:

“What happened on Bloody Sunday was unjustified and unjustifiable. It was wrong.”

Witnesses of the era, two of whom I met, still remain emotional about Great Britain acknowledging the past. Such gestures pave the way for lasting relationships. This week, we learned that Germany is now moving in a similar direction, discussing restitution, reparation, and the return of some precious artifacts and cultural items that were removed from the country with Tanzania.

Should the weakness of Haitian institutions be a motive or a pretext to delay action? I bet the brilliant minds in the room, international experts, researchers, historians, and scholars from various fields, can identify mechanisms to channel the “**reverse debt**” – since France owes Haiti. There can certainly be a viable, appropriate account set up to invest in specific infrastructure projects Haiti has been deprived of for 198 years.

While we review these considerations, we also remain rational about the international implications of such demand at the bilateral or international level. Raising the restitution question does not equate to antagonistic tendencies toward France or other nations with whom Haiti shares too many things in common. Like many others, I enjoy a good French poem or some old French song; I enjoy a good British novel by Agatha Christie or a good American novel

by Hemingway or by Richard Wright. Likewise, Haiti's history and culture attracted the Victor Hugos, the Jean-Paul Sartres, and the Josephine Bakers of the world. So, fairly discussing restitution as a state-to-state issue should not raise the specter of hostility among nations of goodwill and their people of good faith who share similar values across varying cultural identities and a commitment to justice.

So, let's concur that any restitution strategy must be thoughtful and creative and based on shared principles of fairness, the belief in re-establishing the disjointed scales of justice, and the gross distortions of history. The nation that claims to author the "Declaration des droits de l'homme et du citoyen," the nation that claims the Enlightenment era, can undoubtedly muster the courage to acknowledge the unfathomable injustice that took place in 1826 in violation of standard international norms and moral decency, with, should we say the complicit or enabling silence of other states that should have been good neighbors.

Here we are at the end of this journey with all of you, and I suspect our friends from the lost generations, our friends from the younger generations who have been wondering: how did Haiti get there? Now you have a glimpse. It wasn't just the determinism of geography, the recurring natural disasters, or corrupt dictators. There were deeper causes. And they call for deeper questions.

Raising such questions, let's not shy away from stating it, has brought threats, perils, and even worst in the past. But because we joined this symposium as active participants, we now carry the burden of knowledge and its corollaries. We need to switch paradigms from failed R2P concepts, the Responsibility to Protect, to what I call the R2A, The Responsibility to Act, meaning to make something happen when it comes to this debt, as some kind of Coordinated International Academic and Human Rights structure, bringing France to move in the honorable direction.

So, who should act and when to Act? I will conclude this symposium by paraphrasing a basic Malcolm X quote:

If not now, then WHEN? If not US, then WHO?

Si se pa kounye a, se kilè ? Si se pa nou menm, se ki moun ?

Thank you.

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⁴ DORIGNY, *supra* note 2.

⁵ MICHEL-ROLPH TROUILLOT, *HAITI, NATION AGAINST STATE: THE ORIGINS AND LEGACY OF DUVALIERISM* (1990).

⁶ *Haiti 'Ransom' Project*, N.Y. TIMES, <https://www.nytimes.com/spotlight/haiti> (last visited Dec. 1, 2023).

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⁸ DORIGNY, *supra* note 2.

⁹ FREDERIQUE BEAUVOIS, *INDEMNISER LES PLANTEURS POUR ABOLIR L'ESCLAVAGE?: ENTRE ECONOMIE, ETHIQUE ET POLITIQUE, UNE ETUDE DES DEBATS PARLEMENTAIRES BRITANNIQUES ET FRANÇAIS (1788-1848) DANS UNE PERSPECTIVE COMPAREE* (2013).

¹⁰ *Haiti 'Ransom' Project*, *supra* note 6.