

LEGALIZING VODOO: HAITI OFFICIALLY RECOGNIZES VODOUN AS A RELIGION

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Abstract: For centuries, voodoo (vodoun) has been misunderstood and ridiculed by outsiders, while within Haiti it was not even officially recognized, despite playing a large role in the country's history and the vast majority of Haitians upholding the faith. But a few months ago, Haiti's government officially recognized the religion, and in doing so became the first country to ever officially sanction the practice of voodoo.

Introduction

Vodoun, more commonly known as voodoo,¹ is a religion that is very much misunderstood by non-practitioners.² But even within Haiti itself, where the religion is better understood, vodoun was not given much respect by successive Haitian governments, as there was no legal status for vodoun in the country's latest constitution of 1987.³ Because vodoun was not officially recognized, practitioners of vodoun did not have the same religious liberties that those faithful to the other religions in Haiti possessed.⁴ This is in spite of the facts that vodoun is practiced by approximately 80

¹ In my research for this article, I encountered various spellings for voodoo, including (but not limited to) vaudou, vodun, and voodoo. For many people, voodoo is unavoidably linked with voodoo dolls and zombies. One learned author expressed that because he wanted to avoid this stereotype, as well as to be phonetically correct, he would use the term vodoun in his book. WADE DAVIS, *THE SERPENT AND THE RAINBOW* 11 (Simon and Schuster 1985). For both of these reasons, I will bow to his expertise and also use the word vodoun instead of voodoo throughout this article.

² “[M]any books and films have sensationalized voodoo as black magic based on animal and human sacrifices to summon zombies and evil spirits.” Michael Norton, *Haiti Officially Sanctions Voodoo*, GLOBAL BLACK NEWS, Apr. 12, 2003, available at <http://www.globalblacknews.com/HaitiVoodoo.html> (last visited Sept. 19, 2003).

³ MICHEL S. LAGUERRE, *VOODOO AND POLITICS IN HAITI* 5 (St. Martin's Press 1989). While this constitution does provide for freedom of religion, it qualifies this by stating that such practices must not “disturb law and order.” HAITI CONST. (1987) title 3, § D, art. 30, available at <http://www.georgetown.edu/pdba/Constitutions/Haiti/haiti1987.html> (last visited Sept. 19, 2003).

⁴ LAGUERRE, *supra* note 3, at 19.

percent of Haiti's 8.1 million people,⁵ and that the religion has been practiced consistently for nearly 300 years.⁶ Ironically, even though vodoun practitioners were a majority numerically, as a religious group they were in the minority.⁷ But this changed in early April 2003, when the government officially recognized the vodoun religion and elevated it to the same legal position as the other religions of the country.⁸

Vodoun in Haitian History

Near the end of the eighteenth century, Haiti,⁹ then a French colony called Saint Domingue, was easily France's wealthiest possession.¹⁰ Haiti was considered "the jewel of the French empire and the most coveted colony of the age."¹¹ This prosperity was built mostly on slave labor, and near the close of the eighteenth century the population consisted of about 500,000 blacks (the majority of whom were slaves) and only about

⁵ Carol J. Williams, *In Haiti, Voodoo Gets Official Recognition; President Jean-Bertrand Aristide's Proclamation Empowers all 8.1 Million Citizens to Practice Their Beliefs without Fear of Repression or Censure*, CHI. TRIB., Aug. 5, 2003, at 5. The prevalence of vodoun in the lives of Haitians is reflected in the common adage that "Haitians are 70% Catholic, 30% Protestant, and 100% voodoo." *Haiti Makes Voodoo Official*, BBC NEWS, Apr. 30, 2003, available at <http://news.bbc.co.uk/2/hi/americas/2985627.stm> (last visited Sept. 19, 2003).

⁶ Nick Caistor, *Voodoo's Spell over Haiti*, BBC NEWS, Apr. 8, 2003, available at <http://news.bbc.co.uk/2/hi/americas/3122303.stm> (last visited Sept. 19, 2003).

⁷ LAGUERRE, *supra* note 3, at 128.

⁸ Norton, *supra* note 2.

⁹ The name "Haiti" itself comes from the language of the Arawaks, the original inhabitants of the land who greeted Christopher Columbus in 1492. GERDÈS FLEURANT, *DANCING SPIRITS 1* (Greenwood Press 1996). "Haiti" in the Arawak language means "mountainous land." *Id.* (internal citations omitted).

¹⁰ J. MICHAEL DASH, *CULTURE AND CUSTOMS OF HAITI* 4 (Greenwood Press 2001).

¹¹ DAVIS, *supra* note 1, at 65. Around this time, the colony was responsible for two-thirds of French foreign trade. *Id.* "In the...year 1789 the exports of cotton and indigo, coffee, cacao, tobacco, hides, and sugar filled the holds of over four thousand ships." *Id.* In this same year the estimated gross national product for Haiti is estimated to have been £175,990,000. LAGUERRE, *supra* note 3, at 33.

36,000 whites.¹² In fact, in the last fourteen years of French rule, at least 375,000 Africans (for the purpose of serving as slaves on the plantations) were imported to Haiti.¹³ This resulted in a great majority of the black population thinking of themselves as predominantly Africans.¹⁴ After all, most of them had African heritage and traditions in common, since they had so recently resided there.¹⁵ But because of the mix of peoples, none of the traditional African religions could become dominant.¹⁶ So in this environment, a new culture was born, the Creole culture of Haiti, as well as the Haitian vodoun religion.¹⁷ Vodoun became “a symbol of racial solidarity” from which no ethnicity could be barred.¹⁸ The rise of vodoun can be viewed as the slaves’ refusal to completely adopt a culture that they had been forcibly inserted into.¹⁹

In addition to the overwhelming ratio favoring the blacks, the whites were extraordinarily cruel to their slaves.²⁰ In some years as many as 18,000 slaves died as a

¹² DASH, *supra* note 10, at 3-4.

¹³ DAVIS, *supra* note 1, at 70. The majority of the slaves came from the Gold Coast and especially Dahomey. LAGUERRE, *supra* note 3, at 24. Haitian words such as *houngan*, meaning priest, and vodoun itself both originated in Dahomey. *Id.* at 24-25.

¹⁴ DAVIS, *supra* note 1, at 72.

¹⁵ *Id.* at 70.

¹⁶ LAGUERRE, *supra* note 3, at 37.

¹⁷ *Id.* at 25. The Catholic faith of the French colonists was mostly rejected in part because it provided no relief from the slaves’ miserable existence and Catholicism was seen as a “religion of colonial oppression.” DASH, *supra* note 10, at 51-52. Those Catholic priests who had tried to “sav[e] the souls of the slaves were seen as subversive” and expelled, with the effect that those who remained were not particularly eager to assist the slaves. *Id.* at 56.

¹⁸ LAGUERRE, *supra* note 3, at 25.

¹⁹ *Id.* at 57. It is through vodoun that slaves began to develop their political consciousness. *Id.* at 69.

²⁰ DASH, *supra* note 10, at 4. In fact, this cruelty in part gave rise to the saying in France “as rich as a Creole.” *Id.*

result of inhuman punishments and tortures that their white masters inflicted upon them.²¹

But the overseers did not dominate their slaves' spirituality, and all of the slaves were allowed to express themselves musically, which developed into an element of vodoun.²²

The inevitable insurrection that followed was incited in part by this savage oppression and favorable numbers, but vodoun also played a large role in the Haitian revolution. The mass uprising was planned during a vodoun ceremony led by a priest named Boukman.²³ This ceremony was on the evening of August 14, 1791, and "is generally accepted as the first tangible contribution of [vodoun] to the liberation of the Haitian people."²⁴ In this ceremony, Boukman prayed to the vodoun gods and requested those present to "fulfill the religious mission of exterminating all the French colonists" in the quest for freedom.²⁵ By the end of the ceremony, Boukman reported that the vodoun gods had agreed to his plan.²⁶ On August 21, 1791, exactly one week later, the general slave uprising began.²⁷ Vodoun is said to have "charged [this] revolt."²⁸ The vodoun religion "played a major role in the struggle for independence," and all of the revolutionary leaders "were to some degree affiliated publicly or privately with [vodoun]"

²¹ DAVIS, *supra* note 1, at 191. In addition to "[b]randings, indiscriminate floggings, rape, and killings," there were punishments ranging from suspending a slave by driving a nail through his ear to "stuffing the anus with gunpowder which was then ignited, a practice common enough to give rise to the colloquial expression 'blasting a black's ass.'" *Id.* at 190-91. *See generally id.*

²² DASH, *supra* note 10, at 67.

²³ *Id.* at 5.

²⁴ FLEURANT, *supra* note 9, at 21.

²⁵ LAGUERRE, *supra* note 3, at 62.

²⁶ *Id.* at 62-63.

²⁷ FLEURANT, *supra* note 9, at 21.

²⁸ DAVIS, *supra* note 1, at 203.

or at least used it for political goals.”²⁹ Many of the ex-slaves turned soldiers placed their fate in the hands of their vodoun spirit protectors, and thus were inspired to fight with intense ferocity by the vodoun priests.³⁰ The slave revolution finally bore fruit on January 1, 1804, when Haiti was declared an independent nation, and a constitution followed soon thereafter.³¹ Haiti thus had the distinction of being the first successful slave revolution in history, as well as the “world’s first independent black republic.”³² The success of this revolution and its accomplishments were due in large part to vodoun.³³

But even in an independent Haiti, the vodoun religion remained underground, while the first constitution of the new nation declared that the official state religion was Catholicism.³⁴ In the days that followed independence, the government “distrusted [vodoun] because of its elusiveness and its ability to create disorder.”³⁵ Since Haiti’s independence, there have been efforts to either control, persecute, or even eradicate the

²⁹ LAGUERRE, *supra* note 3, at 63. The vodoun religion helped to unite both the plantation slaves and the maroons (runaway slaves) who hid from their former masters. *Id.* at 39, 55. *See generally id.* at 64-66 for how some of the revolutionary leaders used vodoun.

³⁰ *Id.* at 4, 64. Part of this zealotry was inspired from the belief that if the slaves should die in the fight they would come back to life in their African homeland. *Id.* at 64.

³¹ DASH, *supra* note 10, at 6-7.

³² *Id.* at 2, 7. Haitians are still very proud that the birth of their country came about through the world’s sole successful slave revolt, as well as the fact that this victory came against one of the strongest armies in the world at that time, Napoleon’s French army. *Id.* at 29. Additionally, when Haiti declared its independence it became only the second country in the New World to cast off its colonial masters. *Id.* at 7. Because of vodoun, Haiti was also “the first social revolution in the Third World.” LAGUERRE, *supra* note 3, at 70.

³³ LAGUERRE, *supra* note 3, at 70. *But see* DASH, *supra* note 10, at 65, though this same author later acknowledges that the religion served as a “unifying force during the war.” *Id.* at 67.

³⁴ LAGUERRE, *supra* note 3, at 1.

³⁵ DASH, *supra* note 10, at 65.

vodoun religion.³⁶ At best, Haitian governments have been ambivalent toward the religion of the people.³⁷ More recently, the Duvalier dynasty³⁸ brought vodoun “openly into the political process,” but still did not legitimize it.³⁹ Both of the Duvaliers utilized the religion to rule the people, and so vodoun did become more acceptable to more Haitians.⁴⁰ However, following the fall of the Duvalier dynasty, several hundreds of vodoun faithful were killed because of vodoun’s connection with the Duvaliers.⁴¹ So throughout Haiti’s history, the government has utilized five different strategies to deal with vodoun: “(1) outlaw it, (2) physically persecute it, (3) ignore it, (4) recognise it as genuine national folklore, and (5) politically exploit the church.”⁴² But one constant, until this year, was that the Haitian government never officially recognized the vodoun religion.⁴³

³⁶ FLEURANT, *supra* note 9, at 21. *E.g.*, the government issued a decree in 1935 that prohibited “superstitious beliefs.” LAGUERRE, *supra* note 3, at 5. This was not revoked until 1987. *Id.*

³⁷ FLEURANT, *supra* note 9, at 21.

³⁸ The Duvalier dynasty refers to Francois Duvalier, or ‘Papa Doc,’ and his son Jean Claude Duvalier, or ‘Baby Doc,’ who sequentially held power from 1957 to 1986. DASH, *supra* note 10, at xvi, 18.

³⁹ LAGUERRE, *supra* note 3, at 118.

⁴⁰ *Id.* at 119.

⁴¹ Norton, *supra* note 2.

⁴² LAGUERRE, *supra* note 3, at 125. Reasons for Haiti’s official stance on vodoun may have been the desire to appear ‘civilized’ to the international community by suppressing a religion that had such a bad reputation and pressure from the Catholic Church to eliminate a rival. *Id.* at 19.

⁴³ *Id.* at 125. This was an approach carried over from the hated colonial French government. *Id.*

Vodoun

Even dating back to the nineteenth century, foreigners' accounts of vodoun capitalized on its evil and bizarre practices.⁴⁴ This continued from the end of the nineteenth century into the early twentieth century, and included books that made references to cannibalism and "cult objects such as voodoo dolls," which helped portray Haiti in particular and the vodoun religion in general as savage.⁴⁵ This has continued through the second-half of the twentieth century, with a 1988 Wes Craven movie called *THE SERPENT AND THE RAINBOW* that dealt with Haitian voodoo zombies.⁴⁶ Presently, many outsiders continue to view Haiti as a land of black magic.⁴⁷

If one can look past these distorted tales and Hollywood voodoo movies, then a much different picture of vodoun can be seen.⁴⁸ Vodoun is a combination of the religious practices of more than twenty ethnic groups from Africa, as well as the beliefs of the Arawaks, the original inhabitants of Haiti, and even the Europeans.⁴⁹ Vodoun is not only a religion but it is a "way of life [for] the Haitian people, [and] is concerned with the total

⁴⁴ *Id.* at 7. This includes reports of "zombification and cannibalism." *Id.* (footnote omitted).

⁴⁵ DAVIS, *supra* note 1, at 208. Some of these books were titled *The Black Republic*, *Black Bagdad*, and *Cannibal Cousins*. *Id.* *THE WHITE ZOMBIE*, a Hollywood movie released in 1932, also added to the misconceptions about vodoun. DASH, *supra* note 10, at 66.

⁴⁶ DASH, *supra* note 10, at 30, 66. *See generally* <http://homevideo.universalstudios.com/monsters/serpent.html> (last visited Sept. 19, 2003). This movie was based upon the book of the same name by author Wade Davis. DASH, *supra* note 10, at 30.

⁴⁷ DASH, *supra* note 10, at 31.

⁴⁸ To learn more about the vodoun religion, *see generally* <http://www.religioustolerance.org/voodoo.htm> (last visited Sept. 19, 2003) and <http://www.geocities.com/Athens/Delphi/5319/ayibobo.htm> (last visited Sept. 19, 2003).

⁴⁹ FLEURANT, *supra* note 9, at 2.

health and well-being of its practitioners.”⁵⁰ The theology includes a “complex polytheistic system of spirits over which one all-powerful god dominates.”⁵¹ This good God, or *le bon Dieu*, has the same characteristics of the Christian God.⁵² However, this God, as well as Jesus Christ, the Virgin Mary, and the various Saints, are believed to be “too distant and impersonal to pay attention to the needs of ordinary Haitians.”⁵³ Therefore, the various *loas*, or the less powerful deities and spirits, are worshipped and appeased.⁵⁴ The pantheon of *loas* is not standardized, and is always increasing since both ancestors and priests, or *houngan*, can become *loa* after they die.⁵⁵ These *loas* may be invoked, and sometimes take possession of a human.⁵⁶ Dance and music are the two best vehicles for contacting the *loas*.⁵⁷ Vodoun priests, *houngan* or *papa-loa*, are those who have “found favor with the *loa* and have acquired a special *connaissance*, or knowledge.”⁵⁸ Vodoun ceremonies usually consist of the sacrifice of some sort of farm

⁵⁰ *Id.* In the same way that there are Christian and Buddhist societies, there are also vodoun societies that are complete with art, education, medicine, and justice. DAVIS, *supra* note 1, at 73.

⁵¹ DASH, *supra* note 10, at 67.

⁵² *Id.* This is because Catholicism has become “intricately tied up” with vodoun. *Id.* at 59. *E.g.*, the appearance of the Virgin Mary in Haiti inspired a pilgrimage that has since become “undeniably [vodoun] in character.” *Id.* at 60.

⁵³ *Id.* at 67.

⁵⁴ *Id.*

⁵⁵ *Id.* See generally *id.* at 68-70 for a brief description of some of the principal *loas* in the vodoun pantheon.

⁵⁶ *Id.* at 68. See generally DAVIS, *supra* note 1, at 47-50 for an observer’s description of one of these possessions, or ‘mounting,’ during a vodoun ceremony. While a person is possessed, the *loa* may transmit important messages to the group. FLEURANT, *supra* note 9, at 8.

⁵⁷ FLEURANT, *supra* note 9, at 2. Music and drumming have been described as the “linchpin[s] of the [vodoun] ceremony.” DASH, *supra* note 10, at 71. This evolved from the various African religions, where dance and music played a crucial role in communicating with the gods. LAGUERRE, *supra* note 3, at 56.

⁵⁸ DASH, *supra* note 10, at 71. *Houngan* serve as teachers, healers, and fortunetellers, and “bring a concrete manifestation to the mysteries of the religion.” *Id.*

animal and perhaps a possession of one of the worshippers by a *loa*.⁵⁹ While there is the possibility for evil sorcery within the religion, the overwhelming majority of vodoun worshippers are “more interested in petitioning the *loas* than in manipulating them to do evil.”⁶⁰

The Importance of Vodoun to Haitians

In his decree, President Aristide stated “voodoo is an essential part of [Haitian] national identity.”⁶¹ Vodoun has been described as inseparable from many aspects of Haitian life.⁶² At least one expert would argue that vodoun is one of the few tools that Haitians have that is “capable of dealing with [Haiti’s many] predicaments.”⁶³ These problems include Haiti’s traditional political problems as well as social injustice.⁶⁴ Another authority has contended that the vodoun religion is so much a part of the country that it is “the axis around which...much of Haitian life revolves.”⁶⁵ A third expert found that despite being outlawed, vodoun has always remained at the center of politics in

⁵⁹ *Id.* at 72.

⁶⁰ *Id.* at 73.

⁶¹ Norton, *supra* note 2.

⁶² *Id.*

⁶³ FLEURANT, *supra* note 9, at 23.

⁶⁴ *Id.*

⁶⁵ DAVIS, *supra* note 1, at 110. “La Ronde des Vodou,” a 1987 documentary by Elsie Haas, a Haitian, examines the function of vodoun in Haiti. DASH, *supra* note 10, at 92.

Haiti.⁶⁶ This same individual also asserted that every future president of Haiti must have a practical knowledge of vodoun in order to have any chance of success.⁶⁷

Vodoun's Long Awaited Official Recognition

Haitian President Jean-Bertrand Aristide⁶⁸ is responsible for the April 4, 2003 government decree that Haiti would recognize vodoun as “a religion in its own right.”⁶⁹ President Aristide also stated that a law was being prepared that would give vodoun this new legal status.⁷⁰ This will allow *houngans*, vodoun priests, to “perform any service a Roman Catholic priest can, such as officiating at marriages and funerals.”⁷¹ Part of the government decree was also an invitation for vodoun “adherents and organizations to register with the [Haitian] Ministry of Religious Affairs.”⁷² Prior to this decree, as recently as several months ago, many practitioners of vodoun were forced to practice

⁶⁶ LAGUERRE, *supra* note 3, at 20. Among other things, vodoun has led the colony to independence and served as a framework for an underground society to fight the elite in post-independence Haiti. *Id.* at 20-21.

⁶⁷ *Id.* at 120.

⁶⁸ Ironically, President Aristide is a former Catholic priest from the Salesian order. DASH, *supra* note 10, at 61.

⁶⁹ *Haiti Recognises Voodoo Religion*, AGENCE FR. PRESSE May 2, 2003 (internal citations omitted). However, some cynics believe that President Aristide pushed for this recognition purely for political purposes so that he might enhance his “image as a man of the people” and strengthen “popular support for [his] rumored bid... to amend the constitution so he can seek a prohibited third term as president.” Williams, *supra* note 5. Even a vodoun priest who was interviewed expressed his hope that the recognition of his religion was not done merely to “win popularity amid [Haiti’s] economic and political troubles.” Norton, *supra* note 2.

⁷⁰ *Haiti Recognises Voodoo Religion*, *supra* note 69.

⁷¹ Williams, *supra* note 5. Prior to being allowed to conduct such ceremonies, vodoun priests must swear “an oath before a civil judge.” Norton, *supra* note 2.

⁷² Norton, *supra* note 2.

their faith in secrecy.⁷³ But with the new government decree, vodoun ceremonies can now be performed in the open like the ceremonies of any other faith, and Haiti is believed to have become the first nation ever to simply grant vodoun the same standing as other religions.⁷⁴

⁷³ Williams, *supra* note 5.

⁷⁴ *Id.* But despite vodoun's new official status, many practitioners feel that there is still a lot of work to combat the "centuries of ridicule and persecution [both] in [Haiti] and abroad." Norton, *supra* note 2.