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TRIBUTE TO IRWIN P. STOTZKY

IRA KURZBAN*

In *Transition to Democracy in Latin America*, my dear friend Irwin Stotzky wrote that the principle of democratic legitimacy can only be based on the judgments of members of the society who are free and equal persons. Further, the rule of law and thus, the guarantees of due process are a basic requirement of social interaction both to protect human rights and the democratic process, and to achieve economic and social development.

The remarkable thing about Irwin Stotzky is that he has not only written and spoken about equality and due process, but rather, he has fought for it in a way rarely seen among lawyers trained in this country. For twenty years he has fought for equality, due process, and dignity for Haitian refugees in the United States. He has used his considerable intellect and creativity to ensure that the treatment of refugees would be based on the content of their claims and not the color of their skin. Against powerful forces within and without our government he took up the fight for due process and equality for Haitian refugees to the United States Supreme Court on more than one occasion. He thereby ensured that the principles we claim to cherish are those that we enforce and practice.

Like the true heir to Tom Paine's legacy, Irwin's work promoting equality and due process did not stop at the shores of the United States. His passion for the disenfranchised and the invisible classes in Latin America and the Caribbean has led him to lecture, argue, and fight for human rights in Argentina and Haiti. He spent the last decade working with democratic forces

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in Argentina to ensure that the generals and their dirty war did not return to extinguish the light of democracy in that country.

In Haiti, Irwin Stotzky organized and led a team of international human rights lawyers to prosecute those who had committed atrocities during the three year military coup that resulted in the execution of over 5000 Haitian citizens, the destruction of civil society, and the demoralization of democratic forces. He began the long process of ending impunity for human rights violations that characterized the last forty years of Haitian history by successfully prosecuting one of the parties responsible for the political execution of Antoine Izmerly, a well regarded businessman in Haiti who broke ranks with the Haitian elite to openly support democracy at the cost of his life. He has found a unique place in Haitian history by participating in the first successful human rights prosecution of a political crime in Haiti—a feat which was praised and recognized by Haiti's first democratically elected president Jean Bertrand Aristide.

It is rare in the academy to find a professor who writes with both passion and clarity. It is rarer still to find someone who follows up his writing with action and contributes to help those who are disenfranchised and who struggle to establish democracy and justice in their country.

As a scholar, an author, a teacher, a lawyer, and a human rights activist, Irwin P. Stotzky represents what is best about our profession. He deserves the recognition that this University has bestowed upon him. As someone who has fought for justice and equality from Argentina, to Haiti, to the United States, he truly is the Lawyer of the Americas.