

Yon Azil Politik Pou Pèp La: Contesting the Treatment of The Haitian “Boat People,” 1972-1988

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Abstract

During the 1970s and 1980s, a large influx of Haitian immigrants pursued entry into the United States (U.S.). The majority of these immigrants sought to escape the regime of Haitian dictator Jean-Claude Duvalier. This massive Haitian migration to the U.S. resulted in the implementation of policies by the Carter and Reagan administrations that classified the Haitian “boat people” as “economic immigrants” instead of “political refugees.” These policies enabled the U.S. to deny entry to thousands of Haitians who were similarly situated to refugees, from other countries, who had been granted asylum. This article examines political policies, human rights activism and media coverage related to Haitian immigrants seeking asylum, in the U.S., from 1972-1988.

During the 1970s and 1980s, a large influx of Haitian immigrants pursued entry into the United States (U.S.). The majority of these immigrants sought to escape the regime of Haitian dictator Jean-Claude Duvalier (also known as Baby Doc). Known for his brutal and violent leadership style, Duvalier defended what human rights workers called one of the most oppressive governments in the Western Hemisphere, following in the footsteps of his father, François, known as Papa Doc, who died in 1971.¹ Human Rights Watch and Amnesty International had documented what they called systematic human rights violations under Duvalier's rule. Both organizations accused Duvalier of imprisoning and torturing hundreds of Haitians, and using violent means to silence voices of opposition. An estimated 30,000 people were killed during the reign of the Duvalier father and son.²

The horrific national climate created by Duvalier prompted many Haitians to seek political asylum in the U.S. Duvalier was known for employing tactics that were designed to create an atmosphere of fear for the purpose of enforcing the power of his dictatorship. He used four main forms of human rights abuses during the course of his regime. The first form of abuse was known as the “Triangle of Death.” In this network political prisoners were taken to one of three prisons where they died from abuse and extrajudicial killings. The second form of abuse was known as the “disappearance and political killing” tactic. In this system, political prisoners were never released from detention and most were never seen by their families again. No explanation of the whereabouts of these prisoners was every offered by the government. The third form of human rights abuse, used by Duvalier, was the “torture” tactic. Political prisoners were subjected to rigorous interrogation and unrestrained torture.

¹ Randall Archibold, “Jean-Claude Duvalier Dies at 63; Ruled Haiti in Father’s Brutal Fashion,” *The New York Times*, October 4, 2014.

² Mariano Castillo, “Former Haitian Dictator 'Baby Doc' Duvalier Dies at 63,” *CNN*, October 4, 2014.

One form of torture that became infamous under Duvalier was known in Haitian Creole as *djak*. *Djak* involved the tying of hands behind the legs and the placement of a pole between the arms and legs in order to hang the prisoner in the air for the purpose of corporal punishment and beatings.³ The fourth and most noted form of human rights violation was Duvalier's control of the Haitian press and restriction of political dissent. Freedom of association, assembly and expression were circumscribed by the government and independent radio stations and newspapers faced government control as well. If stories that painted the Haitian government or Duvalier in a negative light did make it to the public, journalists were typically tortured, detained or exiled.⁴ Given these realities, many Haitians were desperate to gain political asylum in the U.S. and set eyes on the shores of Florida, in an attempt to secure what they believed to be a better political quality of life.

The United States and Haiti, A Complex History

The relationship between the United States (U.S.) and Haiti spans more than two centuries. America's contact with Haiti dates back to the era of the Haiti Revolution of the 1790s and the ambassadorial relationship between Haitian Revolution leader Toussaint Louverture and American President John Adams. President Adams decided to establish a diplomatic relationship with Louverture and Haiti for several reasons. However, the primary reason for forging this relationship was rooted in Adams' belief that Haiti played a critical role in advancing his Atlantic world foreign policy.⁵

In the beginning, much of Haiti's relationship with the U.S. existed in the realm of government and diplomacy. In his 1941 book entitled, *The Diplomatic Relations of the United States with Haiti, 1776-1891*, historian Rayford W. Logan examines international relations between the U.S. and Haiti in the eighteenth and nineteenth centuries. Logan boldly asserts that the interest that the U.S. had in Haiti primarily stemmed from its rivalry with France. However, Logan also argues that the foreign policy of the U.S. in Haiti from 1798 to 1800 was very abnormal, primarily because of the two countries' "quasi" or unofficial relationship.⁶ The diplomatic relationship between the U.S. and Haiti was plagued and immensely impeded by the During the eighteenth and nineteenth centuries, the U.S.'s refusal to officially acknowledge Haiti as an independent nation produced four concurrent movements in American foreign policy toward Haiti.⁷ These movements include: 1) France's renewed effort to re-establish sovereignty over Haiti, 2) The U.S.'s reluctant endeavor to gather claims against Haitian leader Henri Christophe, 3) The rising demand in the U.S. to recognize Spanish-American colonies and 4) The desire on the part of northern commercial interest for the recognition of Haiti.⁸ The U.S. government argued that its non-recognition of Haiti was due to the unstable nature of the country. However, the U.S. government did not hesitate to officially acknowledge Spanish-American nations that were equally unstable.⁹

U.S. and Haiti have also been historically linked as a result of the U.S.'s military intervention. In the early twentieth century, military occupation and intervention efforts in Haiti influenced President Woodrow Wilson's foreign policy toward Haiti. One of the major reasons given by the Wilson administration for occupancy was America's need for stability in Haiti, which would in turn assure American safety given Haiti's location.¹⁰ American military occupation in Haiti was not always welcomed and was met with high levels of criticism. Some of these reproaches included extended authority by force and threat, racist practices and treatment of the Haitian people and the military autocracy of the U.S.¹¹

³ "Haiti's Rendezvous with History: The Case of Jean-Claude Duvalier," *Human Rights Watch*, April 14, 2011. <https://www.hrw.org/report/2011/04/14/haitis-rendezvous-history/case-jean-claude-duvalier> (accessed August 14, 2016).

⁴ Ibid.

⁵ Ronald Angelo Johnson, *Diplomacy in Black and White: John Adams, Toussaint Louverture, and Their Atlantic World Alliance* (Athens: University of Georgia Press, 2014), 18.

⁶ Rayford W. Logan, *The Diplomatic Relations of the United States with Haiti, 1776-1891* (Raleigh: University of North Carolina Press, 1941), 68.

⁷ Ibid., 188.

⁸ Ibid.

⁹ Ibid., 192.

¹⁰ David Healy, *Gunboat Diplomacy in the Wilson Era: The U.S. Navy in Haiti, 1915-1916* (Madison: University of Wisconsin Press, 1976), 16.

¹¹ Ibid., 216.

Criticism of the U.S.'s presence in Haiti was fueled by a number of factors including, the military activities of Rear Admiral William B. Caperton, who led over 300 sailors and marines into Haiti, the outbreak of the Caco Wars, and the unlimited power given to the U.S. Navy by the U.S. government. Additionally, some believed that American presence and ideologies yielded discriminatory effects on the Haitian people.¹²

In the latter part of the twentieth century, during the 1970s and into the 1980s, a large number of migrants began to arrive in the U.S. from Haiti. Many historians began to document Haiti's relationship with America within the context of the presence of Haitians in American in various regions of the country. For example, Thomas Boswell's 1982 article entitled, "The New Haitian Diaspora: Florida's Most Recent Residents," provided insight into the lives of Haitian immigrants settling in Miami, Florida. Boswell reveals how the large stream of Haitian immigrants began in the U.S. in December of 1972, when a boatload of Haitian refugees washed up on the eastern shore of South Florida. Boswell argues that this is an important event because it demonstrated that it was feasible to cross the Gulf Stream in a primitive sailing vessel.¹³ Additionally, it also demonstrated the lengths that many Haitians were willing to go through in order to enter the U.S. and create lives here.

After 1972, even more Haitians, from northern Haiti, began to arrive in South Florida and most decided to stay in the area. Four factors are often attributed to the prevalence of migrants from the northern region of Haiti. These factors include: 1) The short distance between northern Haiti and Miami, Florida; 2) The fact that the northern region of Haiti was the poorest in the country and desperation to leave was extremely high; 3) The reality that as many migrants left the North, more individuals had family and connections in Miami who could provide assistance upon arrival and 4) The fact that the smuggling of illegal immigrants to the U.S. had become a major enterprise in Haiti.¹⁴ Although Haitian immigration to the U.S. remained an ongoing issue throughout the 1970s, the U.S. government's response to Haitian migrants was not positive and welcoming.¹⁵ Many Haitian refugees fleeing the autocratic regime in their home country sought to permanently settle in the U.S., but most were consistently denied the status of political refugees in the U.S.¹⁶

The Government's Response: Cubans Over Haitians

This massive Haitian migration to the U.S. resulted in the implementation of policies by the Carter and Reagan administrations that classified the Haitian boat people as "economic immigrants" instead of "political refugees." These policies enabled the U.S. to deny entry to thousands of Haitians who were similarly situated to refugees, from other countries, who had been granted asylum. During a seven-month period in 1980, approximately 125,000 Cubans and 25,000 Haitians arrived in South Florida via boat, both standard and makeshift. This mass migration became known as the Mariel Boatlift because most of the Cubans departed from Mariel Harbor in Cuba.¹⁷ The Mariel Boatlift was triggered by the housing and job shortage caused by the dire condition of the Cuban economy. As a result of this economic crisis, the Castro regime announced that all Cubans wishing to emigrate to the U.S. were free to board boats at the port of Mariel, located west of Havana.¹⁸ Both Cubans and Haitian were involved with the Mariel Boatlift and although Haitian and Cuban immigrants shared equal circumstances, the U.S. government was more hesitant in extending asylum to Haitian refugees.

The government's position on communism is often cited as the reason for the minimal amount of Haitian refugees admitted to the U.S. The Haitian dictatorial regime, run by the Duvalier family from 1957 to 1986, backed American positions taken on Western Hemisphere affairs and the Cold War, which the U.S. State Department viewed as an advantage.¹⁹ To the State Department, Haiti represented an ally against the evils of communism.

¹² Ibid.

¹³ Thomas Boswell, "The New Haitian Diaspora: Florida's Most Recent Residents," *Caribbean Review* 11, no.1 (1982): 18.

¹⁴ Ibid., 19.

¹⁵ Ibid., 21.

¹⁶ Michel S. Laguerre, *American Odyssey: Haitians in New York City* (Ithaca: Cornell University Press, 1984), 9.

¹⁷ Ruth Ellen Wasem, "U.S. Immigration Policy on Haitian Migrants," *CRS Report for Congress*, January 21, 2011.

¹⁸ Andrew Glass, "Castro Launches Mariel Boatlift, April 20, 1980," *Politico*, April 20, 2009.

¹⁹ "Refugee Policies - Refugees and the Cold War," *American Foreign Relation*,

<https://www.americanforeignrelations.com/O-W/Refugee-Policies-Refugees-and-the-cold-war.html> (accessed December 30, 2018).

However, Similar to Cubans, Haitians lived under the oppressive rule of a corrupt government under the Duvalier family. However, the Carter Administration recognized that Haiti was one of the poorest counties in the world, which caused many immigration officials to stress the poverty level of potential immigrants over their lack of political rights and the violence inflicted by the Haitian government.

Towards the end of the Carter administration, Haitian immigration to the U.S. averaged about 2,300 individuals per month. Initially, the U.S. immigration officials had accepted Haitian immigrants when the population yielded only modest numbers. However, as the number of Haitian immigrants began to swell at a rapid rate, the government sought to create immigration legislation to circumvent what they viewed as a growing problem. Most of the legislation generated to address issues of Haitian immigration was largely antiquated and contradictory.²⁰ The disparate treatment of Haitians often evoked claims of racism because the Cuban immigrants were mostly white and, in contrast, Haitian immigrants were exclusively black.²¹ On March 15, 1980, President Carter attempted to eliminate bias in favor of those fleeing Communist countries and against those fleeing countries such as Haiti by signing The U.S. Refugee Act of 1980.²² One of the main objectives of this legislation was to create a new definition of refugee based on the one created at the UN Convention and Protocol on the Status of Refugees. Additionally, creating a uniform resettlement and absorption policy established explicit procedures on how to handle refugees in the U.S.²³

In 1981, when the Reagan administration entered office, U.S. immigration officials pursued a more aggressive approach in dealing with the Haitian boat people. The administration initiated a program in which the U.S. Coast Guard prohibited entry of Haitian boats into U.S. waters and allowed Immigration and Naturalization Service (INS) officers to screen applicants to determine whether they had valid claims for seeking asylum in the U.S. In many instances Haitians were deported and immediately returned to their country. During the Reagan administration, the U.S. Coast Guard prevented over 20,000 Haitian boat people from entering the country.²⁴ While Cuban, Asian, and Eastern European refugees were routinely granted political asylum on the grounds that they were fleeing Communist persecution, Haitians were denied refugee status because they were viewed as individuals seeking to enter the U.S. in an attempt to prosper financially. The irony is the Castro regime established the Muriel Boatlift to address poverty and the poor economy in Cuba, yet Cubans were not classified as “economic immigrants” and the Haitians, who endured the brutality of the Duvalier regime, were told that they had no claim to political asylum in the U.S.

The Black American Response

The disparate and discriminatory treatment of Haitians, which many critics attributed to race, drew the attention of African Americans. Many black organizations felt compelled to lead a charge against the government’s discrimination against Haitian refugees. Those who challenged the unequal treatment of prospective Haitian immigrants could not comprehend how the U.S. government failed to classify these refugees as “political” versus “economic” given Haiti’s merciless dictatorship under Jean-Claude Duvalier.²⁵ Many black American advocates were vocal and diligent in protesting this level of biased treatment. Discrimination in the immigration process resonated with several civil rights organizations due to the legacy of racial injustice that existed in the U.S. This commitment to the struggle for equality helped to rally national civil rights leaders and organizations around the cause for the Haitian refugees, which evoked a level of Pan-African responsibility.

²⁰ John D. Buenker and Lormen A. Ratner, eds., *Multiculturalism in the United States: A Comparative Guide to Acculturation and Ethnicity* (Westport: Greenwood Press, 2005), 177.

²¹ Kevin R. Johnson, Raquel Aldana, Bill Ong Hing, Leticia Saucedo and Enid F. Trucios-Haynes, *Understanding Immigration Law* (New York: Matthew Bender & Co., 2009), 477.

²² Alex Stepick, “Haitian Boat People: A Study in Conflicting Forces Shaping U.S. Immigration Policy,” *Duke University Law Journal* 45, no. 2 (1982): 187.

²³ Edward M. Kennedy, “Refugee Act of 1980: Refugees Today,” *International Migration Review* 15, no. 1/2, (1981): 141-156.

²⁴ Kevin R. Johnson, *The Huddled Masses Myth: Immigration And Civil Rights* (Philadelphia: Temple University Press, 2004), 40.

²⁵ Joel Dreyfuss, “What Is A Refugee?,” *Black Enterprise Magazine*, December 1981.

One of the first organizations to express political support for the Haitian refugees was the Congressional Black Caucus (CBC), led by Walter E. Fauntroy and Shirley Chisholm. The CBC formed a special task force for the refugee crisis in 1979. The organization also worked with the National Council of Churches to support the Haitian refugees. Congressman Fauntroy encouraged black support by emphasizing the unity binding Haitians and African Americans.²⁶ Congresswoman Chisholm did not accept the government's "economic refugee" claim and also rejected the U.S. State Department's findings that concluded that Haitians were not being mistreated under the regime of Duvalier. She took the Carter administration to task for its treatment of the refugees and also denounced the Reagan administration's policy of intercepting Haitian boats on the high seas.²⁷ The CBC was extremely aggressive in its pursuit of justice for the Haitian refugees and carried out this mission throughout the 1980s.

Another organization dedicated to the fight for Haitian refugee human rights was the National Association for the Advancement of Colored People (NAACP). In 1981, the NAACP led a giant march in front of the White House to bring awareness to the plight of Haitian immigrants. The NAACP sent a team to Miami, Florida to investigate unexplained Haitian drownings off the coast. The organization also sent investigators to probe the detention camp outside of Miami where Haitian refugees and survivors were held.²⁸ Florida officials claimed that the drownings were due to Haitians attempting to enter U.S. shores on makeshift boats. However, many of the autopsies on the drowning victims revealed they had eaten a substantial meal of cooked food, a meal that could not have been prepared aboard a tiny makeshift boat only two hours before they died.²⁹ The NAACP also pressed President Reagan to institute a humane and morally responsible policy toward Haitian refugees and to rescind the policy allowing the U.S. Coast Guard to ban refugee boats on the high seas and turn them back to their point of origin.³⁰

Jesse Jackson and Operation Push were also instrumental in addressing concerns regarding the unequal immigration policies that governed Haitian refugees.³¹ Jackson, like other civil rights organizations and leaders attributed the Haitians' treatment to race and sought measures to improve the immigration process for people of color. This impelled Jackson and other members of Operation Push to tour a Haitian refugee camp in Florida, where he described the conditions as "inhuman" and "repulsive."³² Jackson was so affected by what he had witnessed at the refugee camp that he called for a demonstration and hunger strike to call attention to the existing racial bias. Over 1,000 protestors attended the demonstration rally and in his speech, Jackson accused the federal government of applying a double standard to human rights.³³

Following the lead of the major national civil rights groups, many grassroots organizations formed and organized major protest marches in New York, Washington, D.C. and Miami. Other protest initiatives included letter-writing campaigns, hunger strikes and frequent visits to members of Congress.³⁴ Black American students at historically black colleges and universities also joined the fight for Haitian refugee justice. In addition to these initiatives, Haitians and their advocates sought the help of the U.S. court system in an attempt to shine light on the disparate treatment that they had received. The management of the Haitian refugee crisis had an impact on many African Americans because the struggle of Haitians illuminated America's continued exercise of racial inequality.

Media Coverage

Another telling factor of the disparate treatment received by the Haitians is demonstrated in the manner in which the U.S. media covered the migration. The over arching themes of media coverage revealed race and politics as key factors in how Haitians were portrayed to the public.³⁵

²⁶ Léon Dénius Pamphile, *Haitians and African Americans: A Heritage of Tragedy and Hope* (Gainesville: University Press of Florida, 2001), 178.

²⁷ *Ibid.*, 180.

²⁸ Mary Thornton, "NAACP to Probe Haitian Drownings," *The Washington Post*, October 28, 1981.

²⁹ *Ibid.*

³⁰ "Highlights of NAACP History," *Crisis Magazine*, January 1989.

³¹ Pamphile, *Haitians and African Americans*, 181.

³² Frank Eidge, "Haitian Refugee Camp," *United Press International*, December 30, 1981.

³³ *Ibid.*

³⁴ Pamphile, *Haitians and African Americans*, 188.

³⁵ Manoucheka Celeste, *Race, Gender, and Citizenship in the African Diaspora: Travelling Blackness* (New York: Routledge, 2016), 27.

News coverage appeared to be a reflection of the U.S.'s ethnocentric view of Haitians. The media coverage depicted Haitians as a threat flooding U.S. borders. They were depicted as impoverished, uneducated, and diseased and labeled "boat people" by the media. The negative images put forth by the media created an unfavorable environment for Haitians arriving on American shores. Many of the negative attitudes toward Haitians were rooted in racist ideologies. In "Modifying Haitian Images in the Miami Media," Yven Destin argues that racialized images of Haitians are commonly deployed in the American media. He asserts that both the American mainstream and African American media, to some extent, have historically offered a stereotyped representation of Haiti and/or dark-skinned people of Haitian descent as incompetent, tainted and sacrilegious.³⁶ Having these images imbedded into the American consciousness made immigration-based racial inequality very difficult to overcome.

Parallel to the actions of the federal government, media coverage of the Haitian and Cuban refugees was quite different. News outlets referred to Cuban refugees as "Cuban immigrants" and referred to the Haitians as "refugees." The media framed the Cuban refugee crisis as the plight of desperate people attempting to access democracy, while Haitian refugees were portrayed as an annoyance and threat to the U.S. economy.³⁷ In addition to defaming the Haitians and associating these refugees with negative stereotypes, the media, namely *The New York Times*, also drew a connection between Haitians and the emerging HIV/AIDS epidemic in the 1980s.³⁸ Negative stories began to circulate and several of these stories erroneously established that AIDS in the Western Hemisphere began in Haiti. The spread of HIV/AIDS-related falsities about Haitians led to widespread discrimination and helped to foster the existing level of prejudices that Americans had against this immigrant community.³⁹

The media facilitated one of the harshest challenges to the plight of the Haitian refugees. Challenging imagery and characterizations that occupied television screens and newspaper headlines on a daily basis was a very difficult feat for these refugees and their American allies. The disparaging narrative created by the media reinforced the stereotypes embraced by many Americans regarding people of color and gave the federal government permission to participate in selective humanity.

The oppressive dictatorial, national climate created by Duvalier prompted many Haitians to seek political asylum in the U.S. Instead of receiving the benefits of humanity that were extended to immigrants from other nations, they were stigmatized, discriminated against and branded by the U.S. government, the media and by society as people seeking to escape impoverished conditions. Even in the face of racially charged immigration policies that were designed to deter them from seeking asylum in the U.S., the Haitian refugees did not waver in their quest to escape the authoritarian society created by the Duvalier family. With the help of African American allies and those committed to challenging the Carter and Reagan administrations on racist immigration policies, Haitian refugees demanded a seat at the table of democracy.

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³⁶ Yveni Destin, "Modifying Haitian Images in the Miami Media From 1979 Through 2010 In Advent of Social Media," PhD diss., University of Pittsburgh, 2016.

³⁷ Walter C. Soderlund and Ralph Carl Nelson, *Mass Media and Foreign Policy: Post-Cold War Crises in the Caribbean* (Westport: Greenwood Publishing Group, 2003), 163.

³⁸ Celeste, *Race, Gender, and Citizenship in the African Diaspora*, 27.

³⁹ *Ibid.*

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