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Haitian immigrants and their descendants
in the Dominican Republic

Bridget Wooding and Richard Moseley-Williams



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About the authors

Bridget Wooding and Richard Moseley-Williams are British development consultants based in Santo Domingo. They specialise in the field of social development, migration and human rights. Bridget Wooding also works with the Jesuit Refugee Service for Latin America and the Caribbean.

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This briefing paper was researched and written in the Dominican and Haitian context and is based mainly on sources of information and analysis in the two countries. We were able to consult material not easily obtainable abroad, including first hand information. Research ‘on the ground’ has also enabled us to add nuance to our findings on complex and politically sensitive matters. We chose not to delve too deeply into the extensive literature which exists internationally on migration issues or to specifically relate our analysis to wider debates on migration questions. This is a report on a particular reality and not a case study.

Many people in both countries have helped us to a better understanding of Haiti and the Dominican Republic and the relationship between them. We would particularly like to acknowledge, alas posthumously, our debt to the intellect and example of three sadly missed friends and colleagues, Abraham Shepherd in Haiti, and Arturo Jiménez and Liliana Cabral in the Dominican Republic.

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We would like to dedicate this work to Bridget’s father, Philip Wooding, indefatigable campaigner for human rights, and to Richard’s mother, Joan Moseley-Williams.

*Bridget Wooding and Richard Moseley-Williams
Santo Domingo, January 2004*

Glossary

batey	settlement of sugar cane workers on the plantations
bateyanos*	people from the bateys
bracero*	migrant sugar cane cutter
CEA	Consejo Estatal de Azúcar (the state sugar council)
cédula	Dominican identity card
ingenio	sugar cane plantation and factory
JCE	Junta Central Electoral (the central electoral committee)
NGO	non-governmental organisation
PRD	Partido Revolucionario Dominicano (Dominican Revolutionary Party)
PLD	Partido de la Liberación Dominicana (Dominican Liberation Party)
PRSC	Partido Reformista Social Cristiano (Social Christian Reformist Party)
REDH Jacques Viau	Red de Encuentro Dominico-Haitiano Jacques Viau (Dominico-Haitian Encounter Network Jacques Viau – a network of civil society organisations in the Dominican Republic working with Haitians and their descendants)

* The use of the masculine in this report is neutral and inclusive – for example, of both male and female people from the bateys (*bateyanos* and *bateyanas*), and of male and female migrant sugar cane cutters (*braceros* and *braceras*).



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Foreword

ON 1 NOVEMBER 2003, the following report appeared in *El Caribe*, one of the Dominican Republic's main daily newspapers, under the headline 'Friday round-ups, dozens of Haitians arrested'. It was about an incident which occurred at 'kilometre nine', the crowded terminus area for travellers on the road from Santo Domingo (the capital of the Dominican Republic) to the north of the country:

'I have never been to Haiti, I am 35 years old and was born here. I have eight children and my brothers and sisters were born here,' said a sobbing Anselmo Valdez who was arrested yesterday by officers of the General Directorate of Migration together with dozens of Haitians to be deported to Haiti.

There was drama on the Migration bus that was parked at kilometre nine of the Duarte motorway. Cries shook the barred windows of the vehicle. Many women, some with children in their arms, wept inconsolably at being unable to return home to their children and husbands last night.

Migration officials arrived at kilometre nine at 6pm, as has become customary on Fridays. The Haitians they encountered, as well as people whose skin is black, were asked for their documents, and put on the bus if their papers were not in order. Public transport vehicles were stopped and searched.

Last night Edwin Paraison, the Consul General of Haiti, ... criticised the way in which deportation operations are conducted: 'in many cases excesses are committed and it is inhumane not to allow arrested Haitians to communicate with their families and pick up their possessions. This violates the inter-government agreement signed in 1999. Many of the families think they have disappeared. They know only that their mother or father has not returned home from work.'

This was not an isolated incident. Every year hundreds of events such as these are chronicled in the country's media.

The human drama of arbitrary deportation is one manifestation of the larger and highly controversial issue of Haitian immigration in the Dominican Republic. The failure to control the influx of migrant workers from the neighbouring country, the vulnerability of undocumented immigrants to human rights abuse, the existence of widespread prejudice and discrimination, and the political use of xenophobia by extremists, are the main aspects of the problem. However, the reality is more complex than might be suggested by the image of a substantial and growing sub-class of 'illegal' Haitian labourers in a country that exploits and discriminates against them. It is also more hopeful.

This study attempts to understand the origins and changing nature of

Haitian immigration, the evolving relationship between the immigrants and Dominican society, and the position of those of Haitian origin who have settled in the country. It also examines the reactions to Haitian immigration and the campaign for the protection of the human rights of immigrants and their descendants.

Human rights violations have always been part of the history of Haitian migrant labourers. In 1987 Roger Plant published an influential book about Haitian migrant workers called *Sugar and modern slavery: A tale of two countries*, which revealed the extent of abusive treatment at the time (Plant, 1987).¹ Our aim is to examine the changes that have taken place since then.

As we shall see, the picture is mixed. On the one hand, much progress has been made by liberal-minded sections of Dominican civil and political society, backed by international civil rights groups and local and foreign non-governmental organisations (NGOs). On the other hand, much remains to be accomplished if the country is to make further progress towards a democratic and accountable society in which human rights are uniformly respected.

During the research for this study the authors were repeatedly struck by the prevalence of myths and false or insufficiently grounded judgements about Haitian immigrants and Haitian-Dominicans.² Such prejudices and unsafe assumptions are not only to be found where one would expect them to be, among the minority of Dominicans who hold racist and anti-Haitian views. They have also influenced many scholars, experts, and NGOs. We have detected four aspects of Haitian immigration where mythology needs to be challenged by the facts:

- The myth of Haitian labourers as ‘passive victims’
- The myth of *los haitianos* as an unassimilated and essentially Haitian (and therefore non-Dominican) population which has built up over generations
- The assumptions which lie behind many statements that Haitian immigration is detrimental to the economic development, society, culture, and identity of the country
- The belief that discrimination against those of Haitian descent is

¹ Many Haitians and Dominicans, while welcoming the content of the book, take issue with the title because the labourers concerned, although they were tricked, coerced and maltreated, were not chattel slaves in the strict meaning of the term.

² The term Haitian-Dominican is used in this report to mean people born in the Dominican Republic who are of Haitian descent. However, the term Haitian-Dominican is also sometimes used within the country to refer to Haitian immigrants who have settled – that is, lived for several years, in many cases for periods of up to several decades – in the Dominican Republic. See chapter 3 for further discussion of this issue.

uniquely caused by racism and anti-Haitianism and that this is separate from the social divisions and inequities that exist in both the Dominican Republic and Haiti.

Recent Dominican scholarship, and survey and case study research, is throwing new light on these areas. For much of our analysis of the mythology we are greatly indebted to this new body of work.



Introduction

HAITIANS HAVE MIGRATED TO WORK in the Dominican Republic for nearly 90 years. For most of the last century they were labourers who were persuaded, sometimes by force and often under false pretences, to cross the border each year to work on the harvest in the sugar plantations, filling abysmally paid jobs under atrocious conditions as cane cutters, and living in barracks in settlements on the sugar estates called 'bateys'. After the harvest they were returned to Haiti.

With the decline of the Dominican sugar industry after the 1980s, the growth and diversification of the Dominican economy, and the long term economic and political crisis in Haiti, migration of Haitians to the other side of the island seeking work has continued (and has tended to increase), but has taken different forms. Haitians now find work in other agricultural sectors as well as in the dwindling sugar plantations. They work on building sites, in the tourist industry, in cleaning and domestic service, and in informal trade. Although the migrants are still predominantly young men, women are migrating in significant numbers.

Formerly, labourers were contracted, either under agreements between the two governments, or directly by the sugar companies through Haitian agents. Today, the vast majority of migrant labour is 'informal' and uncontrolled, firstly in the process of exit from Haiti, secondly in the crossing of the poorly policed border without visa or permit, and thirdly in the unregulated work which is available in the Dominican Republic to Haitians. A further trend has been for Haitian migrants to remain in the country, moving from job to job and place to place in search of work and greater security against detention and deportation.

This long process of migration has had a series of major consequences. From a demographic point of view it has resulted in a substantial population of residents of Haitian descent as well as recent immigrants. Estimates of the size of this population vary wildly (see chapter 3 for further discussion). If the number is as high as 500,000, a figure frequently mentioned, this represents about six per cent of the 8.6 million population of the Republic.

Moreover immigrants of Haitian descent have become increasingly differentiated. They range from recently arrived migrant workers and traders, to Haitian immigrants who have lived in the Dominican Republic for periods of up to many decades, to second and third generation 'Haitian-Dominicans' – people of Haitian descent who were born in the Dominican Republic.

Those born in the country have the constitutional right to nationality, a right frequently denied to them in practice. There is a large group of people of Haitian descent who identify themselves as Dominican citizens, have but residual links with Haiti, and in many cases do not speak Kreyol (the common language of Haiti), but whom the Dominican authorities

continue to regard as foreign nationals subject to deportation where they do not possess, or are assumed to lack, documents which establish their status in the country.

A second major result of many decades of migration has been the growth of powerful Dominican interests that, like the sugar plantations in the past, depend on a constant supply of cheap and compliant labour. Migrant labour has shaped the modern Dominican economy and has become integrated into it. An abrupt halt to the availability of labourers from Haiti would bankrupt part of the agricultural sector and create a crisis in the booming construction industry, leading to knock-on effects on national economic growth in the short and medium term. This reality explains why until recently successive governments have been ambiguous about introducing effective mechanisms to regulate migration. The shelving of the issue over decades has created a problem which is ever more difficult to solve.

Another set of reasons for government inattention is political and ideological. The three main Dominican political parties are reluctant to address the questions of immigration and the nationality of the children of Haitian residents. They are apprehensive of the electoral consequences of appearing to favour Haitians where this could be portrayed by their opponents as betraying Dominican national interests. Upon this fear plays the influence of a small but well-connected right wing group, known as the Nationalists, who aggressively express an anti-Haitian ideology. Their view is that an international conspiracy exists to unify the island and to allow more migration that will change the country's national identity, which in their opinion is essentially mulatto and Hispanic, and is incompatible with Haiti's roots in Africa.

Finally, the fact that Haitian immigration has been allowed to develop as an informal, extra-legal process has given rise to major human rights issues. Immigrants from Haiti are mostly unprotected by law and administrative practice. They are subject to discrimination and abuse by labour contractors, employers, agents of the state (the police, the military, the migration authorities), the judiciary, and the public education and health services.



Chapter one
The origins of Dominican
attitudes to Haitians

Independence and the 19th century

Dominican attitudes towards Haiti and Haitians (and vice versa) have their roots in the distant past. Haiti's independence in 1804 followed a slave revolution and the defeat of the French armies sent to restore the former colony. The constitution of the new country expressed its identity: it was to be a black republic named after the indigenous word for the island. Its writ would run to the Spanish-speaking east of the island, at the time ceded by Spain to France. Well-founded fears of invasion by the European slaving powers (France, Britain, Spain) through the sparsely populated east led to Haitian efforts to occupy the whole of the island. This was achieved under president Jean-Pierre Boyer from 1822 to 1843. Slavery was abolished on the Spanish side of the island as it became part of the Haitian state.

Dominican independence was won in 1844 following an uprising against rule from Port-au-Prince. Four further invasions by Haitian forces were defeated until the last failed Haitian attempt to re-occupy the east in 1856. For Dominicans, independence was liberation from Haiti, then the much more wealthy and powerful of the two countries – although freedom from Haiti was not at the time intended to establish a sovereign country. The controlling land-owning group in Santo Domingo sought the protection of a European power, and at the invitation of the Dominican government, Spanish sovereignty was restored in 1861. The overthrow of Spanish rule in 1865 was the country's 'second independence' and was supported by Haitian diplomacy.

As Dominican identity was formed during the century, anti-Haitianism and pro-Hispanism was a powerful current. This was in stark contrast to Haitian identity generated by the liberation movement and independence, and forcefully expressed in the country's first constitution.³ This difference in world views is still seen today in school history text books in the two countries. On the Dominican side the history is portrayed as a sequence that began in 1492 with the establishment of the island as a colony of Spain. In Haiti the history of the country is traced back not to 1492, but to the settlement first by European adventurers and colonists after 1640, and then – and predominantly – by slaves from Africa during the latter part of the 18th century. The difference is reflected today by the names each have for the island that they share. Dominicans refer to the island as 'Española' and to their country as 'Quisqueya'. To Haitians, 'Haïti' refers to both the

³ David Nicholls wrote: 'The first constitution of Haiti proclaimed that all Haitians no matter what their shade of skin were to be called "black"; this included even those German and Polish groups in Saint Domingue who had fought with the liberation movement and had become citizens. Perhaps this is the first time that the term "black" has been used in an ideological sense.' (Nicholls, 1979, p35)

name of their country and the whole island. They call the Dominican Republic 'Nanpanyól' or 'Dominicana' (Théodat, 2003, p286).⁴

The armed conflicts between the countries in the first half of the 19th century gave rise to a lasting Dominican belief in Hispanic nationalism and suspicion of Haitian intentions. However, most modern scholars are agreed that the racist and xenophobic aspects of anti-Haitianism today are largely the products of 20th century Dominican politics, and stem especially from the dictatorship of Rafael Leonidas Trujillo from 1930 to 1961. They did not originate with the arrival of Haitian workers, which began 20 years before Trujillo took power and did not at the time provoke hostility towards Haitians any more than to the labourers of other nationalities and cultures who came from the English-speaking Caribbean to work on the new sugar plantations.

The massacre of 1937 and 'Dominicanisation of the frontier'

The key event was the government-ordered slaughter of thousands of Haitians in 1937, principally in the provinces along the border. This was unprecedented and shockingly gratuitous. It caused vociferous international protest, and left a legacy that has lasted until present times.

The massacre began without warning when Trujillo ordered the army to kill Haitians who could not produce proof of their Dominican status. The pogrom began in secrecy and was unreported in the media, all of which was government controlled. Gradually the nature and scale of the massacre began to be known abroad and the outcry led to pressure from the United States for Trujillo to settle with Haiti, which eventually involved the payment of an indemnity of US\$750,000.

There is still no authoritative statistic for the number of people murdered. Estimates vary from as few as 1,000 to as many as 30,000. Bernardo Vega estimated 3,000, based on the accounts of independent contemporary observers and the count of Haitians in the census of 1935 (Vega, 1995, vol 2, chapter 9).⁵ He supposes that more people than was previously thought escaped death by crossing into Haiti. The order for the massacre required the army to seal the border to prevent crossings from either side; in other words, to stop Haitians escaping. The death toll was not higher because of the relative inefficiency of the army and thanks to many Dominicans who hid Haitians in their homes when the troops arrived.

⁴ Jean-Marie Théodat, a Haitian scholar, goes on to write that: 'it is a toponymic imprecision [toponymy is the study of place names] that has consequences for the representation that Haitians have of themselves. It shows that a common view of the island does not exist in the collective consciousness of Dominicans and Haitians. Each nation develops in such ignorance of its neighbour that they could be on different islands.'

⁵ In a presentation to a conference in Santo Domingo in July 2003, Dr Vega revised his estimate to 6,000.

During the massacre there was a clear racist as well as an anti-Haitian element. The soldiers were ordered to kill those without identity papers on the incorrect assumption that all Dominicans possessed such documents. The army resorted to identifying their victims by their skin colour and their accents, as well as by what their spies told them. In the process many Dominicans were killed or forced to flee.

The order for the massacre excluded the Haitian cane workers on the sugar estates, most of which were owned by US companies. Interference with powerful US interests would have stretched president F D Roosevelt's tolerance of the dictator too far. Moreover, Trujillo had his own plans for the sugar industry and after the Second World War, he established his own *ingenios* (sugar plantations), purchased those which were owned by US and other companies, and came to own most of the industry.

What were the true reasons for the massacre of 1937? There was no hint of any significant anti-Haitian propaganda during the years 1930-37. Vega trawled through the government-controlled newspapers for this period and found no significant anti-Haitianism (Vega, 1995, vol 1, p180). The dictatorship's claim that the genocide was caused by unrest and crime was a lie. The cattle rustlers proved to have been Dominicans from the interior. Reports from the government's own agents before 1937 paint a picture of a remarkably peaceful frontier society, in which Haitians and Dominicans coexisted and intermingled with no difficulty, as they had done since the 19th century.

The events of 1937 were the result of a new policy, which the Trujillo regime called the 'Dominicanisation of the frontier'. This policy was manifested in measures to reduce the number of foreigners – by which was meant Haitians – in the country. Legislation was passed which required companies to employ no more than 30 per cent of foreigners in their workforces (a measure which was vociferously opposed by the US sugar companies until the government gave them special dispensations increasing the limit). A new migration law was enacted in 1939, aimed primarily at preventing Haitians entering the country except when they were needed for the sugar harvests. Agricultural colonies were promoted to attract white immigrants from Europe. Roads were built to the previously isolated border.

These measures were not exceptional in the Latin American context of the time. Nor was the mass deportation of Haitians. In the 1930s the Cuban plantations, hit by the depression, deported 35,000 cane workers back to Haiti. What was distinctive in the Dominican Republic was that 'Dominicanisation' formed part of a racist ideology which the dictatorship put forward after the massacre. To achieve this Trujillo co-opted one of the country's leading intellectuals, the historian Manuel Arturo Peña Batlle. Peña Batlle gave a speech in Elías Piña on the border on 16 November

1942, in which he proposed 'the creation of social barriers and relevant legislation to save ... Dominican nationality from the influence of our neighbours'. He referred to stopping 'pernicious Haitian migration', if necessary by force. Another of his targets was Haitian culture and the 'monstrous practice of the fetish of Vodou'. He stated: 'There is no genuinely cultured and civilised government in the world which does not take decisive measures against so serious a menace' (Inoa, 1999, p211).

In the following year laws were passed to emphasise the teaching of Dominican history and culture in schools. Place names along the border and elsewhere were changed from Kreyol and French into Spanish. The practice of Vodou was outlawed, penalised by imprisonment of up to two years, with the alternative of deportation. As Orlando Inoa points out, the provision for deportation shows that the authors of this legislation were certain that only Haitians practised the religion (Inoa, 1999, p213).

Peña Batlle was a right-wing nationalist and Hispanist whose main writings on Dominican history were anti-Haitian but not racist. The racist strand of 'Dominicanisation' appears in its most crude form in Joaquín Balaguer's book of 1947, *La realidad Dominicana* ('Dominican reality'), large sections of which were reprinted in 1983 in his *La isla al revés: Haití y el destino dominicano* ('The island upside down: Haiti and Dominican destiny'). Balaguer's views as expressed in these publications were a vulgar version of social Darwinism. They are so simplistic as to be easy to summarise in a few sentences. The Dominican people are a white Hispanic nation whose population is weakened by mixture with the blood of non-white races. The nation is challenged by an 'imperialist' Haiti that is of African origin. Settlement of Haitians in the country degenerates the moral and spiritual strength of Dominicans. This is proved by the 'indolence' of Dominican communities that have been influenced by Haitian migrants and culture. With Haitians also come poverty, ignorance and contagious diseases.

Balaguer was to become president of the country seven times, under Trujillo and afterwards. His last presidency was from 1994-96 and he stood for election again in 2000, winning a quarter of the vote. He was one of the leading political figures in the transition from dictatorship to democracy from 1961 until his death in 2002 at the age of 96.

Many have wondered how an otherwise sensitive intellectual, who wrote much poetry, could hold racist beliefs; and why a racist could win widespread political support over such a long period of time. The answer is probably that Balaguer was above all a skilled and flexible politician whose values derived from a personal belief in his destiny to save the nation from falling apart after the overthrow of the Trujillo regime. A private man with few intimate friends, his supporters judged him for what he represented, not from what he wrote.

There were several occasions during Balaguer's terms as president when the government whipped up anti-Haitian feeling and ordered mass deportations of Haitians, as notoriously occurred in 1991. At other times Balaguer and his political party, the Partido Reformista Social Cristiano (Social Christian Reformist Party), distributed birth certificates to Haitians in the bateys in order to win their votes, as happened in the campaign for the 1990 elections. It is noteworthy that as today's three party system developed Balaguer never received an absolute majority of votes. In the elections of 1994, when racist propaganda was blatantly used against the Partido Revolucionario Dominicano (Dominican Revolutionary Party) and its leader, José Francisco Peña Gómez, a black man of Haitian ancestry, Balaguer won as the most voted candidate only with the aid of electoral fraud. This fact alone must qualify the extent to which Dominican voters respond to racism and anti-Haitianism.

The aftermath of Trujillo

After the 1937 ethnic cleansing and the new border controls the population of Haitians in the country fell dramatically. The 1935 census recorded 52,657 immigrants; that of 1950 recorded 29,500.

Following the assassination of Trujillo in 1961 and the overthrow of the dictatorship, Haitian migration across the border was officially limited to contracted cane cutters under five-year inter-governmental agreements which began in 1952 and continued until 1986. After this date the contracting system reverted to the pre-1952 arrangement where the sugar companies were the contractors, although this was now done through the state sugar council, the Consejo Estatal de Azúcar (CEA), which had taken over Trujillo's sugar estates.

Migration other than to the sugar harvests was held back after 1961 because of tension between Dominican governments and the dictatorships of François Duvalier ('Papa Doc', 1957-61) and his son Jean-Claude ('Baby Doc', 1961-86). In 1963 and from 1967-70 there were threats of war and the border was militarised. However it must be supposed that irregular migration across the border in general picked up in the decades of the 1960s and 1970s, although the extent of this is not accurately known.

The change on both sides of the island came in the 1980s. In Haiti this was the decade of the overthrow of the Duvalier dynasty by a popular movement in 1986, followed by the struggle for democracy and social justice against the army and the remnants of the *ancien régime*, culminating in the first free elections in Haiti's history in 1991. In the Dominican Republic, also experiencing a long drawn out and unstable transition from dictatorship to democracy, the decade saw the start of major economic adjustment and social change which began with a deepening crisis in the sugar industry.



Chapter two Haitian migration

The Caribbean context

Haitian migration should be considered in the wider context of Caribbean history after 1492. Following European colonisation in the 16th century and the near extermination of the Arawak and Carib peoples, the region was populated by African slaves purchased from slave traders by plantation owners from Spain, Portugal, the Netherlands, Britain, and France. Until the final abolition of slavery in the Caribbean, which was in Cuba in 1880, an estimated two million African slaves had been taken to the Antilles. With the ending of the slave trade and slavery, the plantations sought labourers from other sources within and outside the region. The substantial populations of those of Asian descent in Guyana and Trinidad today have their origins in the indentured workers contracted for the purpose from India in the late 19th century.

At the end of the 19th century there was a boom in the Caribbean sugar industry. The countries best placed to take advantage of the new opportunities were Cuba and the Dominican Republic, and to a lesser extent Puerto Rico. These countries have large areas of fertile soil on relatively flat land well irrigated by high rainfall and rivers, more suitable for the larger scale operation of the new sugar plantation than the terrain of rival sugar producing islands like Jamaica and Barbados. What neither Cuba (after the loss of population in the Ten Years War of 1861-71) nor the Dominican Republic (with its relatively sparse population) had was the manual labour which the new plantations required to cut the cane.

This labour force was acquired from abroad. The first to be contracted were the *cocolos* – cane workers from the English-speaking eastern Caribbean islands. However the workforce for the new plantations was obtained overwhelmingly from Haiti. An estimated 30-40,000 Haitian labourers, known as *braceros*, went annually to the Oriente province of Cuba from 1913 to 1931. In the Dominican Republic, where the sugar industry was smaller than in Cuba, significant numbers of Haitian *braceros* went to the estates illegally before the introduction of regulated contract labour by the US military governments in 1919.⁶ Figures are not available for the numbers of Haitian cane cutters contracted annually in the two decades after 1919. They were probably about 5,000 a year. The Dominican census figures gave a total of 28,258 Haitians in 1920, and 52,657 in 1935.

After the Second World War no more Haitian workers went to cut cane in Cuba, and the main destination of out-migration became the

⁶ The US occupied Haiti from 1915 to 1934, and the Dominican Republic from 1916 to 1924. The two military administrations did much to provide for the labour needs of their compatriots who owned the sugar plantations in Cuba and the Dominican Republic.

Dominican Republic, the Francophone territories of the Caribbean (Guadeloupe, Martinique, French Guyana, San Martin), the United States and Canada, as well as mainland France.

Economic causes: population and poverty

To begin a discussion of why Haitians migrate abroad one should look at a map of the Caribbean. The country is closely surrounded by rich and middle income states: the United States and the Bahamas to the north-west and north, Cuba and Jamaica to the west and south-west, Curaçao to the south, and the Dominican Republic to the east across the porous 388 kilometre border.

Haitians are in no sense cut off from the rich world that is a short flight away. On the contrary, there is constant travel and communication between the home country and the large Haitian diaspora abroad. The many daily flights are normally full into Port-au Prince from Montreal, New York, and Miami. Two bus companies run a daily service from Santo Domingo. International telephone links are heavily used, as are the courier services that bring cash remittances and letters from family abroad.

Table 1 shows the large and increasing economic and social differences between Haiti and the Dominican Republic. The per capita gross national income of the latter is four times that of the former. Life expectancy from birth is substantially lower in Haiti (53 years as against 67 years). Infant mortality and child malnutrition are twice as high in Haiti as they are in the neighbouring country. In Haiti the adult illiteracy rate is 49 per cent compared with 16 per cent in the Dominican Republic. As striking is the contrast in recent economic growth rates. Between 1991 and 2001 the

Table 1: Selected social and economic statistics for the Dominican Republic and Haiti (2001)

	Dominican Republic	Haiti
Population (millions)	8.6	8.1
Gross national income (US\$ billions)	19.0	3.9
Gross national income per capita (US\$)	2,230	480
Urban population (% of total)	66	36
Life expectancy at birth (years)	67	53
Infant mortality (per 1,000 live births)	39	73
Child malnutrition (% children under 5)	6	17
Illiteracy (% of population aged 15+)	16	49

Source: World Bank, 2002b and 2002c; Dominican census of 2002

Dominican economy grew by an average of 6.3 per cent per annum or 4.5 per cent per capita. The corresponding figures for Haiti are 0.0 per cent and minus 2.1 per cent. (World Bank, 2002b and 2002c.)

The fact that one side of the island experienced no overall growth in the last decade, whereas the other achieved record and prolonged economic expansion in the Latin American context, strongly suggests that there were both 'push' (away from Haiti) and 'pull' (towards the Dominican Republic) reasons for economically motivated Haitian migration.⁷

Why did Haiti change in two centuries from the richest colony in the world, 'The pearl of the Antilles', into what is today the poorest country in the western hemisphere? One school of historians stresses the external context, pointing to the international isolation of the country after independence, which, coupled with a crippling debt to France in recompense for the loss of its colony, denied the country such opportunities as existed to develop economically during the 19th century. In the 20th century the US occupation for 19 years distorted the political development of the country and was of little, if any, long term economic benefit. More recently, international sanctions and the denial of aid between 1991 and 1994, and between 2000 and 2003, have had a serious effect on economic development and on the increase of poverty (and thus on out-migration) in a country which had become highly dependent on aid flows.

Other scholars, such as Mats Lundahl (Lundahl, 1979, 1983), give more weight to the internal causes of poverty and particularly to the long term effects of the land reform following independence. Under this, government and sugar estate land-holdings were divided into small farms for distribution to the recently freed slaves. As table 2 shows, the population in Haiti grew rapidly throughout the 19th and early 20th centuries – while by contrast, rapid growth of the Dominican population did not begin until late in the 19th century with the rise of the sugar industry in the east of the country and the boom of agriculture and trade in the Cibao valley.

In Haiti, inheritance of property passes to all the children of the deceased, encouraging the sub-division of farms over the generations. A growing rural population, shrinkage in average farm size, and the lack of technological improvement and capital investment, lead to erosion and deforestation and the farming of increasingly marginal land on the mountainsides. The result is that the per capita productivity of

⁷ The Dominican economic crisis of 2003 has brought the years of growth to an abrupt halt.

Agreements between the Dominican government and the International Monetary Fund estimate that the economy will shrink by over three per cent in 2003 and grow very little in 2004, before picking up in 2005. The crisis and the effects it may have on Haitian immigration are discussed in chapter 7.

Table 2: Population of Haiti and the Dominican Republic since 1804

Haiti		Dominican Republic	
<i>Year</i>	<i>Population</i>	<i>Year</i>	<i>Population</i>
1804	400,000	1809	104,000
1860	1,000,000	1863	207,700
1922	2,000,000	1920	895,000
1950	3,500,000	1960	3,000,000
2001	8,100,000	2002	8,560,000

Sources: Théodat, 2003; Lundhal, 1979; Dominican census data

agricultural land falls, in a vicious circle that is experienced in much of rural Haiti today.

The long term crisis of subsistence agriculture was not compensated for by a growth of industry and services sufficient to absorb surplus rural population. Today three quarters of the population still live in rural areas. Among the reasons have been political instability, the weakness and inefficiency of the state, low education levels, weak financial institutions, and misdirected and poorly administered international aid. This is coupled with poor and deteriorating infrastructure (roads, electricity and water supply, health and education services) and Haiti's relatively poor resource endowment compared to the Dominican Republic.

Balancing the negative picture of Haiti

If the macro-economic view is gloomy, there are other and more hopeful interpretations. One points to the resilience of Haitian rural society and the importance of traditional peasant coping strategies, particularly the collective agricultural work practices known as the *kove* and the *kombite*, and the local social institutions (the *atribison*, the *sosyete*, and the *gwoupman peyison*) through which labour and community sharing is managed (Smith, 2001). Today, as in the past, Haitian peasant families have not remained passive in the face of falling per capita incomes.

There is also the example of the recent growth of cross-border trade, where those involved are mainly women. A study of cross-border markets in 2002 brought out the importance of trade in terms of value, the significant number of Haitian groups involved (which distributes income), and the fact that exchange is remarkably reciprocal. Haitians were selling goods (coffee, beans, livestock, mangoes) where they have a comparative advantage because of low labour costs, and buying

Dominican products (coconuts, cracked rice, plantains) that Dominican farms produce more cheaply (Bellande and Damais, 2002, p113).

It is important to stress the resilience and inventiveness with which poor Haitian families have faced the country's long term crisis. Many Dominicans believe that the neighbouring country is on the verge of collapse and famine, and that a sea of helpless and starving people will shortly flood across the border. This fear, though widely expressed, has no basis in reality. Poor unemployed Haitians are not helpless. On the contrary, they find ways of coping and bettering themselves; and one of the many rational strategies they adopt is to migrate in search of work.

Political causes of out-migration

While migration mostly has economic causes, flight from Haiti for political reasons has been significant, especially during the Duvalier dictatorships from 1957-86 and the bloody repression of the Cedras regime from 1991-94.

Previously refugees tended to be young professionals escaping political violence. During the Duvalier dictatorships the number of refugees greatly increased, and now included poor rural families. During the terror of 1991-94, following the military coup that overthrew president Jean-Bertrand Aristide, there was a mass exodus of up to 100,000 Haitians who escaped overseas by boat or crossed the border into the Dominican Republic. The reaction of the main countries where they sought refuge (the United States, the Dominican Republic, and the Bahamas) was to do everything they could not to accept the asylum seekers as refugees under the terms of the 1951 Geneva Convention.

The Balaguer government in the Dominican Republic chose mainly to ignore the existence of the refugees, up to 20,000 of whom fled across the border. As a result of official indifference, applications for asylum were held up in the bureaucracy while the inter-ministerial committee charged to consider the cases met infrequently. The UNHCR (United Nations High Commissioner for Refugees) office in Santo Domingo was poorly staffed and criticised by human rights organisations for its weak performance. Of the thousands of asylum seekers, only a few hundred were given asylum status. The rest, where they did not have family and friends in the country to whom they could turn, were left to fend for themselves.

The assistance of the putative refugees was assumed by Dominican civil society in a remarkable movement whereby solidarity committees sprang up all over the country as NGOs, human rights groups, church organisations, trades unions, university students, and thousands of ordinary men and women offered their help. This experience of caring and solidarity was a milestone on the way to the Dominican human rights movement today.

The blurred distinction between 'political' and 'economic' migrants

The practice of almost all refugee-receiving countries is to assume that asylum seekers are 'economic' migrants unless they can convince the immigration authorities that they had to flee their home countries because of discrimination in the terms laid down by the 1951 Geneva Convention. This distinction between economic and political is not easily made in the case of many first-time Haitian migrants today. When asked why they came to find work in the Dominican republic the majority will give reasons which are obviously 'economic'. Typical answers are on the following lines: 'I came here because our farm in Haiti no longer supports the family/land is too expensive to buy or rent/there is no work, and I need to make money to save in order to get married/pay off a debt/send my children to school.'

However, many answers will also refer to 'insecurity' and 'uncertainty' in Haiti as a reason for leaving (Plataforma Vida/GARR, 2002, p26). In addition, in 2003 there were reports of outbreaks of political violence in a number of rural communities in Haiti, including those near the border. These outbreaks of violence have disrupted traditional peasant survival strategies. The *gwoupman peyison* peasant movement, which spread all over rural Haiti and was the principal base in the countryside for the democratic struggle against the Duvalier regime, is today torn apart by the bitter conflict between the Lavalas governing party and the opposition.

Natural disasters

Natural disasters have also contributed to out-migration. Poverty and weak institutions make Haiti the most vulnerable country in the Caribbean to the impact of hurricanes and tropical storms (for example, Hurricane Georges in 1998). The effects of flooding can be particularly damaging in fragile peasant subsistence economies. In addition, the dry and poverty stricken north-west of the country is prone to periodic drought. During the prolonged drought of the late 1990s, famine was averted in part because people left the area, many of them as 'boat people'.



**Chapter three
'Haitians' in the
Dominican Republic**

Questions of definitions and numbers

Close to the heart of the controversy about Haitian immigration are the questions of definitions and numbers. It is important to examine this matter in some detail because it is here that the myth of Haitian immigrants and their descendants as a large, and growing, unassimilated population of 'other people' emerges most clearly.

The problem is compounded by two factors. One is the lack of recent census data and reliable government migration figures for the number of immigrants in the country. The other is the failure, deliberate or unwitting, to distinguish between immigrants (those who were born in Haiti) and Haitian-Dominicans – people who have degrees of Haitian ancestry but were born in the Dominican Republic.

As a result there is no agreed statistic for the number of people of Haitian origin or descent who work and/or live in the country. Estimates vary from as low as 200,000 to as high as two million. Those who feel threatened by Haitian immigration choose the higher figures. Thus Manuel Núñez states baldly that: 'The calculation is a million people.' The next sentence shows his colours: 'The displacement continues in floods ... unemployed day-workers, children, pregnant women, street sellers, delinquents ... our state is incompetent in the control of our frontier' (Núñez, 2001, p597). On the other hand, governments have tended to give lower figures, or to dodge the issue, in order to avoid provoking anti-Haitian public opinion. In 1991 Martin Murphy considered that 'the Dominican government apparently does not want to make public, or even to know, the number of undocumented Haitians who live in the Dominican Republic' (Murphy, 1991, p76).

Who are 'Haitians' in the Dominican Republic?

The key question is: who in the Dominican Republic is considered to be Haitian? An immigrant who has recently arrived from the neighbouring country is obviously a Haitian national. But what about the children of Haitian immigrants who are born in the Dominican Republic (the 'second generation')? And what about those who are the third generation? There is also the question of the mixed unions who have children in the country. Are children of mixed nationality parents living in the country Haitians, Haitian-Dominicans, or Dominicans? And what about their children and grandchildren?

The answers to these questions are almost always affected by ideological preference. The distinction between Haitians and Haitian-Dominicans is not accepted, or is at least fudged, by a strong current of opinion running through parts of society and the state bureaucracy, which wants to deny Dominican status to the children of Haitian immigrants, and seeks to lump the two categories together into what is

called *los haitianos*. This stems from a general prejudice, which has its roots in Trujillo's 'Dominicanisation' policy, taken forward by Balaguer and his stated belief in the corrupting effect of the mixture of people from the two countries (a belief which many others shared, and not only from his political party).

A great deal has changed since Trujillo, but there remains a specific determination to deny the constitutional right of Dominican nationality to children born in the country of Haitian parents (see chapter 5). In justifying this denial the argument is put forward that Haitians are 'temporary visitors' and that their status in the country is 'illegal'. The belief has been allowed to grow up which equates Haitian-Dominicans with illegality and puts them in the same category as undocumented temporary migrant workers.

It must be said that some academic and research reports have helped to perpetuate these beliefs and assumptions. An influential contribution to the debate on numbers of people of Haitian origin or descent in the Dominican Republic was the 1994 article by André Corten and Isis Duarte entitled *Quinientos mil haitianos en la República Dominicana* ('500,000 *haitianos* in the Dominican Republic'; Corten and Duarte, 1994).⁸ In arriving at a figure of 500,000 *haitianos* they included not only those born in Haiti, but also all those descended from Haitian immigrants since the 1920s. Their figure for the Haitians was 245,000, taken from a 1991 census of the Haitian immigrant population carried out by the Oficina Nacional de Estadísticas (National Office of Statistics). For the Haitian-Dominicans, they made a theoretical projection of the number of children and grandchildren of the Haitians recorded by census figures in the 1930s, 1950s, and 1970s. They arrived at an amount of 260,000, which added to the first figure gives a total of about 500,000.

The assumption that the third generation of the Haitians who immigrated in the 1920s is still largely unassimilated as Dominicans is contrary to all the evidence. Indeed more recent work suggests that the children of Haitian immigrants are assimilating rapidly, more rapidly than are immigrants of other nationalities (Silié, Segura and Doré Cabral, 2002). This work also brings out the fact that a significant number of adult Haitian-Dominicans have either acquired Dominican citizenship, or possess documents establishing their migration status. It is clearly quite unsafe to assume that all or even most Haitian-Dominicans are illegal residents.

Nonetheless the Corten and Duarte assumption has had a long innings. It reappears in the National Coalition for Haitian Rights (NCHR)

⁸ In the article Corten and Duarte ask 'who is regarded as a Haitian in the Dominican Republic?', but they do not answer the question when making their analysis of numbers.

report of 1996, *Beyond the bateyes*, a substantial and widely quoted study (NCHR, 1996). It emerges again in 2002 in a World Bank report on poverty in the Dominican Republic, which was much publicised in the country (World Bank, 2002a). This latter document cites the NCHR study as the authority for its analysis of Haitian-Dominicans. The authors of the World Bank report had access to recent research that contradicts their assumptions. This new work is not mentioned in the document. A prominent academic, when asked about this omission, commented: 'Well, their research team came to consult us, but when they wrote their report they chose to follow the official line.'⁹ The 'official line' is the mind-set of the undifferentiated *haitianos*.

The number of Haitian immigrants

Two main demographic trends in the Dominican Republic over the past decade have been the emigration of Dominicans and the immigration of Haitians. The total population of the country grew by 1.5 million between the national census of 1993 and that of 2002 (from 7.1 to 8.6 million). During this time there continued to be substantial emigration of Dominicans, mostly family members of those with citizenship in countries with large populations of Dominican immigrants, especially the United States, but also those departing in small boats or by other means to enter the US and other countries illegally. We do not have a figure for the Dominicans who migrated to the US during the last 10 years, but the order of magnitude of those who went to the north is shown by the US Bureau of the Census data on the number of Dominicans in the US. In 1990 this was 520,151. In 2003 the figure was 1,273,000 (*El Caribe*, 26 June 2003).

We know from empirical evidence that Haitian immigration has continued to rise. One would therefore expect the proportion of Haitians in the population to have increased significantly. On the other hand, there were substantial deportations every year since 1991 up to the time of writing, and massive deportation sweeps took place in 1991, 1996, and 1999. A Human Rights Watch report of April 2002 states that:

Besides the waves of collective expulsions more routine deportations are conducted on a daily basis. It is difficult, however, to reliably establish an average or ordinary deportation rate, as estimates vary widely, and the rate itself varies greatly over time. The most that can be said with certainty is that well over 10,000 deportations take place each year, with the true figure perhaps reaching 30,000. (Human Rights Watch Americas, 2002)

⁹ Information given to the authors at a private meeting. See chapter 7 for further discussion of the World Bank report.

It would be justified to take as the average the figure of 20,000. We know that a great many deportees returned to the country after a short time in Haiti. If we assume that half the number of those repatriated never returned to the Dominican Republic, the total number of deportees who did not return during the 1991-2002 period would have been 120,000 (10,000 a year). If this reasoning is correct deportation has had a significant impact (both directly and indirectly through the deterrent effect on potential undocumented migrants) on the number of Haitians residing in the country today.

If the rate of growth of the number of Haitian immigrants in the 1990s was similar to that of the previous two decades, the 245,000 Haitian immigrants in 1991 would have grown to about 500,000 today had the deportations not taken place. But assuming that our hypothesis about the effect of deportations is accurate, and we subtract the number of deportees who stayed in Haiti, the result is a rough figure of 380,000 or under five per cent of the total population. This is significantly less than the frequently given figure of 500,000.



Chapter four
Sugar cane workers
and the bateys

The role of the two governments in the migration of sugar cane workers

In the mid-1980s the bateys and the Haitian cane cutters became famous as an international campaign gathered momentum. The protests were not only about the degrading and discriminatory treatment of the *braceros* (migrant cane cutters). The objection was to an officially sanctioned and highly corrupt bilateral system of exploitation begun in 1952 with the introduction of agreements between the two countries for the contracting of cane workers. The main actors in this chain of exploitation were the sugar companies, the Dominican government, and the Haitian government until 1986, as a report in 2002 by Plataforma Vida (a group of batey organisations from the southern Dominican Republic) and GARR (Groupe d'Appui aux Rapatriés et aux Réfugiés – the support group for Haitian refugees and deportees, based in Port-au-Prince) describes:

The contracted workers ... were recruited with the cooperation of Haitian government officials and the president Francois Duvalier. Through speeches of the president and messages broadcast by radio, and announcements from trucks with loudspeakers in the rural areas of the country, unemployed or under-employed young men were told of the great opportunities that awaited them in the Dominican cane fields. (Plataforma Vida/GARR, 2002, p26)

The bilateral agreements involved the payment to the Haitian government of an agreed amount (in US dollars) per worker delivered to specific reception points on the border. In the last year of the agreements the payment was US\$2 million for 19,000 labourers, paid in cash to the Haitian ambassador on January 18, 1986. The money disappeared with the flight of 'Baby Doc' on 7 February and the braceros never arrived, ruining the 1986 harvest (Cuello, 1997).

These 'per bracero' payments were by no means the only funds that passed into Haitian hands. There were charges for contract renewal, charges for health checks on the labourers (never carried out), consular fees, the travel cost of returning the braceros from the border to their homes in Haiti (never paid to the braceros), and payments to the Haitian embassy in Santo Domingo for the services of their inspection staff. In practice these inspectors and supervisors (the 1984 contract provided for 130 of them), when they visited the *ingenios* (sugar plantations) in chauffeur driven vehicles paid for by the state sugar council, the Consejo Estatal del Azúcar (CEA), acted as agents who solved the problems of management rather than representatives of the complaints of the braceros, their compatriots. Thus a nexus of corruption and exploitation had built up between the two countries.

Exploitation of migrant workers

Largely because of pressure from abroad, the bilateral contracts were gradually modified to include provisions to improve conditions for the cane cutters. In practice these were rarely applied. According to the contract the CEA was supposed to provide each bracero with 'minimum elements for housing and work'. This amounted to a cutlass and sharpener, a water bottle, and a mattress. The ingenios were required to provide health services and accommodation. In reality health care was rudimentary where it existed, and the barracks in the bateys, often a long walk to the cane fields, were overcrowded and filthy, lacking water, sanitation, electric light, and cooking facilities.

In theory but never in practice the braceros were supposed to receive the same pay as a Dominican working in a similar job. They worked from dawn until dusk and each worker was paid fortnightly according to the number of tons of cane cut. Cheating on the weighing of the cane was a constant complaint. Frequently the *pesadores* (those who weighed the cut cane) estimated the amount by eye. A proportion of a bracero's earnings was retained by the ingenio and paid at the end of the harvest when he departed back to Haiti. This so-called 'bonus' was calculated as the amount the bracero would save; the fortnightly payments were for subsistence. The measure was designed to ensure that the workers stayed in the cane fields. If they left early, as many wished to do when they discovered that the work was far from what they had been led to expect, they lost their savings.

The cane cutters were *de facto* prisoners in another sense. If they left the plantation, for example to find a job in another ingenio where pay and conditions were better, they could be arrested and returned to their workplace. They had no status in the wider Dominican Republic. The company issued them with contracts (or some other paper identification) that specified the ingenio to which they were attached. Outside the perimeter of the plantation they were also outside the law.

Recruitment by agents

After the fall of Jean-Claude Duvalier in 1986, the contracting of labourers continued without official sanction on the Haitian side. Individual recruitment replaced mass contracting, and the CEA and the ingenios made private arrangements with agents, called *buscones* (scouts) by Dominicans and *passeurs* (smugglers) by Haitians. These agents in Haiti, who were connected with the military, acquired the labourers, took them over the border with the connivance of the Dominican border guards and armed forces, and handed them over to Dominican intermediaries. They were then bussed to the ingenios according to the number which each required for the harvest. After the harvest, which

lasts up to 200 days, the braceros were returned to Haiti at the expense of the sugar companies.

The bateys: a state within a state

The sugar plantations were a state within a state. They grew up as an enclave in the full sense of the term, legally and economically separated as far as possible from wider society (Cassá, 1998). Most of the labour force was foreign. Law and order, housing, roads, transport, essential services and shops were provided by the company. In the early days the Dominican peso did not circulate on the plantations, which paid wages in tokens redeemable only in the company stores. This was intended to maximise the income of the companies and to stop Dominican merchants from trading on the estate.

A substantial social history of the bateys is yet to be written. We know that they passed through several stages. The basic pattern of settlement on the estates consists of the central batey and the outlying 'agricultural' bateys. The former was adjacent to the factory and the buildings where the company offices and warehouses were located and the company and factory workers lived. Except where there were expatriate top managers and engineers, this was a community of Dominicans. The nearby central batey was the point where the company managed the Haitian braceros, receiving them when they arrived and distributing them to the agricultural bateys where they remained for the harvest period. Given the enormous size of the estates the furthest bateys could be 15 or more kilometres from the central batey.

Initially an agricultural batey was little more than a row or two of wooden barracks strung together, inhabited only for half the year. In time, however, they grew and changed as they became the home for other people as well as the temporary workers. At first these were the *viejos* (old hands), permanently employed cane workers who were probably originally braceros needed by the company for year round tasks such as the clearing, weeding, and planting during the *tiempo muerto* or dead season. In the more recent period the number of *viejos* increased as the companies found it advantageous to retain a stable and more reliable and experienced labour force alongside the braceros.

Over the generations the *viejos* had children and grandchildren. The bateys became the homes for families, living in the barracks but later in separate houses. Women and children began to work in the shops, in petty trading, in nearby towns, and in domestic service, as well as in some agricultural tasks. There appears to have been a concentration of population in the more centrally placed bateys. In these, services sprang up, as the growing communities needed local shops and tradespeople of all kinds. Inter-marriage and service needs brought in Dominican men

and women attracted by the money available in the bateys where the labour force, however poorly paid, at least had employment. Spanish was spoken as much as Kreyol.

However, even where bateys became most mixed with Dominican society, they retained some unique characteristics. One distinctive feature of the batey is cultural. Families with the strongest roots in Haiti continue to practice their religion alongside Catholicism, and many bateys have Vodou priests or *houngans*. The bateys are where the *Gagá* developed, the annual celebration of the Vodou pantheon of gods culminating in Easter week (the *Gagá* is similar to, but a distinctively Dominican version of, the *Rara* in Haiti).

The batey could be a place of refuge when undocumented Haitians living outside were threatened by deportation *redadas* or round-ups, as occurred particularly in 1996 and 1999. People were and are deported directly from the bateys, but being in a community of your own culture and language where there are families and friends to hide you and offer reassurance was important. The possession by many bateyanos (people from the bateys) of work contracts issued by the ingenios, even where these are many years out of date, and are often recycled, could serve the purpose of avoiding deportation when the migration officials and police arrived.

Before 1999 the bateys were not fully incorporated into the Dominican state. In the bateys the status of the population was defined not by the state but by the sugar companies. There is no territorial unit assigned to them in the Dominican constitution. The lowest level of local government, the municipality, had no mandate for the population on the sugar estates. The sugar companies theoretically took charge of all infrastructure and services.

The municipality is where the central electoral committee, the Junta Central Electoral (JCE), has its local offices for the issuing of birth certificates for children, and *cédulas* or identity cards to adults who have birth certificates. The giving of birth certificates usually requires a declaration by the mother and evidence of the birth (usually a form signed by a hospital or health professional). The sugar companies, where they had health services, had little interest in providing the papers required for the issuing of birth certificates. Many bateys are not physically very far from local municipal offices. But for the bateyanos, the perimeter of the sugar plantation was in a real as well as a psychological sense, the frontier of another country.

However, the batey was also somewhere where you could get help from local NGOs, church and philanthropic groups. The modern movement for the human rights of Haitian immigrants and Haitian-Dominicans has its roots in the batey. Many Dominican NGOs have

worked in and for the bateys for over a decade, while international organisations have supported batey projects and advocacy initiatives from an early stage.

Many Dominican NGOs faced hostility and threats from the authorities during the waves of anti-Haitianism in the 1980s and 1990s. Until 1986 there was also the dangerous presence in the bateys of the Ton Ton Macoute spies of the Duvalier regime. While local groups took the risks at the front line, international organisations were also affected. One such organisation financed the fieldwork for the Anti-Slavery Society report of 1979 with a grant that was kept confidential. However the source of funding was suspected and the organisation's Caribbean director, who was based in Santo Domingo, was warned by a senior military officer not to meddle in a controversial political matter.¹⁰

The collapse of the sugar industry

The traditional batey can still be found in certain areas of the country. However there have been substantial and rapid changes in the past two decades in most of the nearly 500 bateys, especially in the east (where there is the greatest concentration of them) and the centre-south of the country. The cause was the collapse of the state owned sugar industry in the late 1980s due to the fall of international prices for sugar, the reduction of the US sugar import quota for the Dominican Republic (in order to protect US farmers), and the corruption and inefficiency of the CEA, which failed to invest in modernising its plantations even when the industry was booming. The 1970s was a time of high prices and big US quotas; during the decade the average annual production was over one million tons, around 60 per cent of which was exported to the US. By 1991 production was down to 340,000 tons. The industry never recovered. Today, annual production remains roughly as it was in 1991. Of the 10 ingenios owned by the CEA, only a few are milling cane, and at greatly reduced levels.

The crisis in the state-owned sector provoked a protracted debate between proponents of forms of privatisation and those who pressed for the use of vast tracts of prime agricultural land as the basis for a national agrarian reform. Finally, in time for the year 2000 harvest, the 10 state-owned ingenios were leased to private companies on 30 year leases. Independent commentators agree that the result has been little short of disastrous. The companies that rented the ingenios were not properly vetted, and in some cases proved to be more interested in stripping the cane to fulfil the production quota allocated to them by the CEA than in any long term investment to rehabilitate the estates and factories. Today

¹⁰ Personal information of the authors.

the sugar factories, railways and transport systems, and cane fields are old and deteriorated.

Where the companies did make some effort to keep to their side of the bargain, problems were encountered with labour in the context of the bateys. An example is the Ingenio Barahona and the Consorcio Azucarero Central. The main investor in this company was Amerop sugar corporation, which is owned by the French multinational sugar trading company, Sucden (Sucre et Denrées Group). At the end of the 2001 harvest Amerop withdrew its investment, supposedly in order to consolidate its holdings in Guatemala. The reality was, as their manager said, that Amerop 'did not know how to manage the social problem of the bateys, which is most important now for the success of the business'. He is quoted in *Tras las huellas de los braceros* ('On the trail of the braceros'), published by Dominican and Haitian human rights groups working in the south-west (Plataforma Vida/GARR, 2002, p93). This book catalogues the appalling treatment of the braceros of the Ingenio Barahona during the harvests of 2000 and 2001, a throwback to the horrors of the past.

The poor response by private investors, and the political pressure arising from the social crisis of the tens of thousands of people who depend on the plantations, has led to inconsistent and *ad hoc* government measures. Leasing of the ingenios has failed. Another approach has been the promotion of schemes for the alternative use of the closed factories, especially their conversion for the production of alcohol. As we found when we visited the Ingenio Quisqueya in 2002, news of the possible conversion and re-opening of the factory for alcohol production had raised high hopes among the mostly unemployed people of the town and the bateys surrounding the ingenio. Since then, nothing has yet come of the alcohol scheme. The human story of the ingenios is one of hope dashed and disappointment.

The third response has been an incremental process of sale or alienation of land belonging to the CEA. One way in which this has taken place is where land has been occupied by homeless families, especially on the fringes of the rapidly expanding cities. Near to where we live on the outskirts of Santo Domingo, land invaders target real estate owned by the CEA, carefully avoiding vacant private property, because they know that they are unlikely to be evicted. Evictions, and the violence and bad publicity of throwing poor parents and children onto the streets and bulldozing their humble homes, are not decisions politicians like to be associated with.

Another politically motivated use of CEA land is where this is gifted to private interests, big and small. This process often involves greed and graft. However there are ways in which the land could be put to good

use. An example is the recent programme, which is part of the government's anti-poverty plan, of giving poor families in the bateys the title deeds to plots on which their homes are built. This is to be welcomed, always provided the scheme is administered honestly and without political favouritism.

Beyond the bateys: the human response to the collapse of sugar

The abrupt decline of what had been for 70 years the country's principal industry had devastating effects for people dependent on the sugar plantations and factories. Unemployment faced not only the cane workers in the bateys, but also the factory workers and those involved in the myriad of services in the townships around the ingenios where there was now no money. In the east and the south-west, where sugar dominated the local economy more than elsewhere, it was a regional crisis. In the bateys, at the bottom of the economic heap, hardship was most felt, and they are today the sector of society where the highest levels of poverty are found.

The reaction of unemployed workers in the bateys was to migrate in search of work. There grew up what can be called the 'diaspora of the bateys', the former bateyanos who live elsewhere in the country. Beginning in the 1980s, a wave of migrant labourers left the plantations to find jobs in agriculture, in the construction industry, and in the informal sector of the economy of the cities. Fortunately for the country, the decline of sugar was soon compensated for by the growth of tourism, mounting foreign exchange earnings from the remittances sent home by Dominicans living abroad, and the establishment of hundreds of assembly factories in free trade zones. From the mid 1990s until 2003, the economy flourished, and the construction and service industries boomed. Agricultural production other than sugar also increased, especially where there had been modernisation of farms, such as in the rice and poultry industries. In the coffee, cocoa, and tobacco industries traditional farm practices predominate, but the government had the financial resources to protect producers with subsidies and protective tariffs. As the economy grew there were jobs available especially for manual labourers.

Some bateyanos continue to live in the bateys and work elsewhere for short periods of time. The fact that bateyanos do not own their houses, which are the property of the sugar company, probably causes reluctance to leave permanently. There was often work to be found relatively close by. This was the case in the east with the construction of tourist facilities as they gradually spread eastwards along the coast from Boca Chica. Once completed, the tourist resorts offered other jobs to men and women from the bateys. Work is also available for young people of both sexes in the free trade zones of the cities of San Pedro de Macorís and La Romana.

When the decline of sugar began the bateyanos were of course agricultural labourers. Employment opportunities in agriculture were mainly to be found in the coffee and rice farms in the south and in the Cibao valley and the Línea Noroeste (the 'north-west line', the region between the city of Santiago and the coastal town of Montecristi close to the border) in the north of the country. Studies have brought out the patterns of the movement of day labourers between the sugar, coffee, and rice harvests (see for example Lozano, 1998). The sugar harvest is in the first half of the year, the coffee picking takes place in the second half, and day labourers move from one to the other. By contrast rice farms require labourers all year round. A circular migration grew up, and the bateyanos and new migrants from Haiti joined the Dominican day labourers in the circle.

There were regional variations. In the rice and coffee farms of the north-west the circle of labour movement extended to the north-east of Haiti, a densely populated agricultural region in crisis, from where travel across the border to the Línea Noroeste was relatively easy. As a result, in the farms of this region the Haitian migrant day labourers outnumbered those of Haitian origin who were established in the country. But elsewhere, in the central Cibao and the south-west, the established group predominated, as Wilfredo Lozano points out:

The majority of the Haitian workforce in the harvest of rice and above all of coffee, are Haitian labourers coming from the sugar bateys, with several years of residence in the country, and are not recent temporary immigrants. Another determining element is the fact that these resident immigrant workers have already produced a generation of descendants, many of whom find themselves in a process of incorporation into productive activity. (Lozano, 1998, p142)

All studies of Haitian labourers in agriculture show that they are paid less than Dominicans. Very common is the earmarking of manual tasks for Haitians, just as on the sugar plantations, where the braceros cut and loaded cane, while jobs in the factories and the cane transport system were for Dominicans. In the rice farms, the Haitians work on preparing the paddies, levelling the fields, building the irrigation walls and digging the ditches. Jobs involving production, during the harvest and post-harvest phases, are better paid and are for Dominicans. In a 1997/98 survey of rice farms, the Haitians were paid 8.6 pesos an hour, compared with between 10.8 and 18.2 pesos for the Dominicans (Lozano, 1998, p99). The 'Haitians' in this study included both younger recent migrants from across the border and the mostly older Haitians resident in the country. What seemed to be happening is that the Haitians as a group were not competing with Dominicans for the jobs available to them, but with each other.



Chapter five
Haitian-Dominicans

Assimilation into Dominican society

Increasingly, individuals and families from the bateys migrated permanently to live elsewhere, often to the big cities where work could be found for women as well as men. In the cities there was better housing, electricity and piped water, and schools and health services which were not available in many bateys. Moreover, as a study by Ruben Silié, Carlos Segura and Carlos Doré Cabral brings out, the second and subsequent generations of descendants of Haitian immigrants appear to have become increasingly assimilated into Dominican society (Silié, Segura and Doré Cabral, 2002).

The study shows that Haitian-Dominicans now mostly live in the cities and are employed in jobs no different from those of poor and lower middle class Dominicans. Three-quarters of those surveyed in their study started work for the first time in an urban rather than a rural context. A significant group worked in construction, but most have employment in the free trade zones and a variety of other occupations. They include professionals, technicians, artisans, and mechanics. The lack of interest in agricultural work is partly explained by a rejection by the Haitian-Dominicans of work associated with discrimination and compartmentalisation of tasks for Haitians in the lower paid, physically more onerous, and less responsible jobs.

For the children of Haitians the sequence of assimilation begins in the schools where teaching is in Spanish and the teachers are Dominican. They will play with Dominican as well as Haitian friends. They learn to speak the language without the distinctive accent of their parents' Spanish. They learn to read and write in Spanish while their parents, if they are literate, have only Kreyol. Almost all the radio and TV are in Spanish and project Americanised Dominican culture which gives no value at all – on the contrary – to Haitian language and culture. The children may never visit Haiti, and receive information about the country of their parents only at second hand. When they become adolescents their values and expectations are increasingly those of Dominicans. They do not reject their Haitian origins, out of respect for their parents, and because they are proud of their multi-ethnic identity. At home among the family they may comfortably slip back into the language and culture of their early upbringing. However, some may hide their Haitian origins when dealing with Dominicans, for example by changing their surnames.

This raises the question of identity and assimilation, an issue that is debated among many Haitian-Dominicans. One point of view is that Haitian-Dominicans should assert their distinctiveness and claim recognition by Dominican society of their mixed ethnic identity. They seek the acceptance given to Dominicans of other national origins such as the Jewish, Middle Eastern, Spanish, and Chinese communities in the

country, which often have their own associations, clubs, restaurants, churches, and cemeteries.

Another viewpoint among Haitian-Dominicans defends the choice of full assimilation even where this means the loss of the Haitian language and culture of their parents. This is not seen as surrendering to a society that discriminates against them, but as a way in which individuals face up to and win the battle for equal treatment. It is less of an 'if you can't beat them, join them' strategy than one of 'we'll show them that we are as good if not better than they are'.

It is interesting to compare the process of assimilation of Haitians born in the Republic with the experience of Dominicans in the United States. In New York, Miami and elsewhere the large Dominican communities are culturally both Dominican and American (Duany, 1993). Dominicans have experienced racism in the US and Puerto Rico (this was a cause of the New York riots of 1992) but wider society, and increasingly the political system, are open to them as Dominican-Americans to a vastly greater degree than Dominican society is prepared to embrace Haitian immigrants. Washington Heights in New York is in no sense a giant urban batey.

Moreover Dominicans born abroad maintain many more direct links with the country which they still call their home. There is constant travel and communication between family members on both sides. Travel is easier where Dominicans have both US and Dominican passports. In contrast to the Dominican constitution, the Haitian constitution does not allow dual nationality. Therefore when Haitian-Dominicans opt for Dominican nationality they must forego their rights to Haitian citizenship. If they assimilate as Dominicans, Haitians are choosing a new home and identity. Dominicans abroad can retain two homes and a dual identity.

The questions of nationality and documentation

The Dominican Republic is a country which is in theory rule-bound, but in practice the rules may be inappropriate and not universally applied. This is so with identification documents, which for adults is the *cédula*, and for children, the birth certificate. The *cédula* is a plastic personal identification card with your name, registration number, photograph, and a thumb-print. *Cédulas* are given at adulthood on presentation of the birth certificate. The card is required for all transactions (cashing a cheque, opening a bank account, signing a contract) and for voting in elections where you are eligible. The names and numbers are fed into a central computer at the Junta Central Electoral (JCE – the central electoral committee) – and, remarkably, are available for all the world to see via the Internet.

Haitian immigrants are regarded as illegal when they lack Dominican birth certificates and *cédulas*, or Haitian passports, visas, or other work-related migration papers which establish their right to be in the country.

In fact, however, the lack of birth certificates affects many more Dominicans than immigrants. In early 2003 the newspapers reported government officials as stating that there were no fewer than two million Dominicans (a quarter of the population) who lack birth certificates. The reason for this is mainly cumbersome bureaucracy. Under the law parents have to declare their child within 60 days of the birth. After 60 days there is a costly and time-consuming procedure called 'late declaration' in which a lawyer is needed to obtain the many legal papers required for issuing of the birth certificate. Not surprisingly poor mothers miss the deadline as their minds are on other more pressing priorities. A visit to the municipal offices may involve a long journey. They may have to contact an absent or possibly estranged partner who may deny fatherhood in order to avoid the legal paternity obligation to pay for food for the child. After the deadline few poor families can afford the late declaration procedure.

A welcome amendment to the law is being considered by the Congress, extending the 60 day limit to six months, and reducing the complexity and cost of late declaration. Apart from the reduction of human unhappiness this change would achieve, it would bring two million people within the scope of the national social security system being introduced in 2004. Without documents the poor, and a great many Haitian immigrants, would be excluded from the system.

The documentary status of Haitian-Dominicans, those born in the country, is not as clear cut as it should be. The Dominican constitution incorporates (in article 11) the principle of *jus soli*, the right to citizenship of those born on the soil of the republic, with the exception of those born of parents 'in transit'. The *jus soli* legal principle is common in the Americas, in contrast to the *jus sanguini* derived from the nationality and citizenship of the parental line with which the UK and European countries are more familiar. In the United States, hundreds of thousands of Dominican families have taken out US passports for their children born in the country.

The constitutional conception of those 'in transit' refers to people like travellers, sailors and aircraft crew, diplomatic and consular staff, and tourists, who are obviously short term visitors. The wording is unambiguous and the intention is unequivocal. The 'in transit' exception was and is not designed to encompass foreign nationals resident in the country on a long term basis. The children of long term residents have the right of Dominican nationality.

The children of Haitian immigrants are systematically denied this

constitutional right. The point at which they are blocked is where the application is made to the offices of the JCE for the issue of the birth certificate. The policy of the JCE is to refuse birth certificates to the children of Haitians. The decision on whether the mother or parents are Haitians and therefore whether the child can be refused a birth certificate appears to be largely arbitrary; they may be so described where they do not have Dominican *cédulas*, they have Haitian sounding names, or they are black and speak accented Spanish. This discrimination is systematic in the sense that it is the institutional policy of the JCE and has been defended as such by lawyers of the JCE in the courts (see chapter 8).

Is it also government policy? It was the official line at the time of the Balaguer administrations, although subsequent governments have tended to duck the issue, knowing that endorsing the JCE line is incompatible with international agreements to which the Dominican Republic is committed. Political leaders hide behind the argument that the JCE is an autonomous body and the matter is in the hands of the judiciary where the Supreme Court ultimately decides. The latter has (at the time of writing) yet to rule on any reinterpretation of article 11 in the case of the children of Haitian immigrants.

Meanwhile, influential figures in the legal profession pronounce one way or the other in the media. Tortuous and illogical reasoning is used to try to turn the unambiguous constitution on its head. Common arguments are: ‘the children of “illegals” are not covered’ (but the constitution gives the right to the child, not to the parents); ‘Haitians in the country are transients’ (but as we know, a great many are permanent residents); ‘the Haitian constitution does not allow dual nationality’ (but Haitian constitutional law does not apply in the Dominican Republic)¹¹; ‘the question is a matter of great public controversy’ (yes, but as Dr Hugo Tolentino Dipp, a former foreign minister, has pointed out, the answer is to resolve the matter through political channels, if necessary by reforming the constitution if that is what the majority wishes).

The issue of the birth certificates, part of the broader question of nationality and citizenship, has become where the battle line between anti-

¹¹ This argument is put forward by those, particularly the Nationalists, who seek to massage the prejudice of *los haitianos* as being ‘the others’ – outsiders who are ruled by the law of a foreign country. The argument is that Haitian parents of children born in the Dominican Republic could, if they so wished, obtain Haitian birth certificates for their offspring; so refusal of Dominican birth certificates does not deny these children the universal human right to a nationality. However, the Dominican constitution unequivocally gives these children the right to Dominican nationality. In theory the parents concerned have a choice – their children can take either Haitian or Dominican nationality (but not both). The matter is legally clear cut and the confusion is often deliberately created as a political tactic.

Haitianism and human rights is increasingly drawn, as we discuss in chapter 8.

At the same time, it is important to note evidence suggesting that a significant number of the adult children of Haitian immigrants have acquired Dominican *cédulas*. In the first place, the children may be of mixed parentage (it was common for Haitian men to have children with Dominican partners). In these cases the Dominican mother would have no difficulty obtaining the birth certificate for her child, irrespective of the nationality of the father.

Secondly, there appear to have been various ‘informal’ means of acquiring birth certificates and *cédulas*, in a country where, as in many countries all over the world, the use of money, influence, and deception is a way in which the relationship between the population and the bureaucracy works. Where you have a problem, the Dominican saying goes, *siempre se resuelve* (it can always be solved). There are anecdotal accounts of birth certificates obtained by declaring someone else’s child; of *cédulas* acquired using another person’s birth certificate; and of the use of bribes and influence.

Finally, the political parties promote the issuing of *cédulas* for electoral advantage. During the electoral campaign of 1990, the government ordered the issuing of thousands of *cédulas* in the bateys in exchange for votes. In 2002, the municipal council of Ramón Santana near San Pedro de Macorís ran a campaign to issue birth certificates and *cédulas* in the bateys in the jurisdiction of the municipality. Council members from all three main political parties competed in the effort, which led to the issuing of 1,600 documents.¹² This is in a municipality with a population of less than 9,000.

¹² Information given to the authors during a visit to Ramón Santana in May 2003.



Chapter six
Migrant workers and
immigrants today

Patterns of migration

Over the last few years there has been an increase in the number of migrants who cross the border *anba fil* (under the wire) intending to find their living in the country in the long term. More women migrate and, to a smaller but significant extent, children. Today they come from all over Haiti, including Port-au-Prince, and not only from the regions that historically provided agricultural labourers for Dominican farms. There are middle class and urban emigrants as well as farm labourers, although the latter still predominate. The work which the immigrants find is spread over the country, is urban as well as rural, and is in many sectors of the economy, formal as well as informal, although the latter is still overwhelmingly the most common. The manner of crossing the border has become more varied, and the flows of immigrants within the Dominican Republic have become more complex and widely spread.

What has changed more slowly is the response of Dominican society and the state to the new migration. All groups of immigrants experience degrees of discrimination in their work and social context, and a great many are faced with the threat of ill-treatment and deportation. However the discrimination against them is as much social and gender related, as it is stemming from race and ethnicity. This has to be placed in the context of a highly unequal society where poor Dominicans are also discriminated against by employers and by the apparatus of the state.

A common assumption is that Haitians who decide to emigrate to the Dominican Republic have an exaggerated notion of the benefits that will accrue to them and little idea of the difficulties and risks that they will face. This may have been to a large extent true in the past, but it appears that more (though certainly not all) migrants today are making more informed choices. The information may come from relatives, friends, and trusted contacts in the Dominican Republic, or from travellers and returnees.

The spread of the Dominican market for labour for rice and coffee farm workers across the border was noted earlier in the case of the north-east of Haiti (see 'Beyond the bateys', chapter 4). Recently this has widened out to the south, south-west, and central departments of the country, linked to labour needs in most areas of economic activity in the Dominican Republic. Another factor causing greater inter-connection is the growth of trade between the countries, spreading from the frontier markets into the country on both sides of the border.

Crossing the border

While agents on behalf of Dominican employers still recruit workers in Haiti, the image of the exploitative *buscón* (scout) or *passeur* (smuggler), who tricks the labourers he has engaged, must be qualified by the fact that many emigrants find their own way across the border, individually

or in small groups, often guided by a colleague who knows how to cross and what must be given in bribes to the border guards.

There are three main border crossing points located on the main roads which link the two countries. Here towns have grown up on both sides, which are, with the Haitian town names the first of the pairs, Ouanaminthe-Dajabón in the north, and Malpasse-Jimaní and Anse a Pitre-Pedernales in the south. In between, innumerable paths lead to points at which the frontier is traversed by local people going about their daily business, going to their fields, buying and selling, visiting friends.

The Kreyol term for those who cross unauthorised is *anba fil* (under the wire), which is ironic since at most of the border there is no wire or fence, or indeed, anything but stubby and weathered concrete markers kilometres apart. The Dominican military forts which were constructed by Trujillo on the frontier as a 'keep out' warning are few and poorly manned. Border patrols are seldom seen.

However, Haitians without visas or work permits do not need to go to the trouble and expense of crossing the frontier at isolated places from where a long and difficult journey must be made to the centre of the Republic. At Ouanaminthe-Dajabón, the busiest crossing where most migrants enter the country, formally or informally, it is easier to mingle with the thousands of people who cross the bridge or wade across Massacre river every Friday and Monday to sell and buy in the Dajabón market.

The physical dangers, although they are real and well documented by human rights workers, are less at the point where the border is crossed, than on the journey by road into the country where several check points have to be negotiated. Dominican bus drivers charge extra from Haitian immigrants without papers and have to be relied upon to pay off the police and military at the check points. The journey can lead to tragedies such as occurred at Guayubín in 2000 (see chapter 8).

Arriving at the main urban centres, the first time immigrant is probably met by a Spanish-speaker who will guide him or her to the onward transport needed to reach his or her destination. This may be a rented room in a house run by Haitians or Dominicans near to where work opportunities are expected. Proximity to the workplace is important, reducing transport costs and exposure to detection by the migration authorities. In the rural areas, this could be a batey, but accommodation is increasingly found in rural settlements where workers of both nationalities are based. In the cities, typical accommodation for the immigrant is a wooden house in a poor section of a working class slum, or a room in a shack that squats on land owned by the state, often on the banks of rivers and gullies where housing is officially not permitted. In this case the occupants may be vulnerable to natural disasters such as flooding and landslides, as well as to eviction.

Relations with Dominicans

The Haitian migrant labourers do not live in ghettos. They mix with poor Dominicans while tending to form their own sub-communities with their families, friends, and fellow Haitian workers. These sub-communities may be identified by a group of houses at the poorest end of a working class neighbourhood. However, the sense of community is limited to the permanent residents, generally the families of the heads of households who let or sub-let accommodation to the migrant workers, because most migrants move on in search of work. This depends; there are older settlements of those of Haitian origin that have a more stable population. In these cases the Haitian sub-community may take part in the social and cultural activities of the *barrio* (neighbourhood), and events such as funerals, religious services, and the annual *fiestas patronales* (patron saint celebrations). They may participate in the local *junta de vecinos* (neighbourhood association).

Their Dominican neighbours tend to say that *los haitianos* keep themselves largely to themselves, but they (the Dominicans) know and greet them, and there are no problems between them, although there may be occasional bad feeling. These opinions are mirrored in the way Haitians see Dominicans whom they know, although there is an underlying concern about Dominican prejudices and intentions. In general, while there is prejudice and wariness on both sides, and occasional friction, the two groups live amicably together. There are no serious problems of bad race relations at the community level such as are experienced in the United States and Europe.

As would be expected, the ability of immigrants to live closer together is more limited in the inner city neighbourhoods of the capital, Santo Domingo, because of higher housing costs. In the outlying suburbs of the capital such sub-communities exist; but closer to the centre immigrants and Haitian-Dominicans have to find accommodation where they can, mixed together with Dominicans. This is probably one of the reasons, along with the unwillingness of the authorities and planners to provide housing for those of Haitian origin, why no Haitian neighbourhood developed in the city. A 'little Haiti' exists in the capital, as it does in Santiago, but these spaces have been created by traders, not by immigrants coming to live there.

Discrimination in the workplace

Where the immigrants face most discrimination and prejudice is in the workplace, in wider society outside of the poorer communities where they live, and where they come into contact with the state.

As noted above, Haitian immigrants, whether they are day labourers in

agriculture, manual workers in construction, traders, or engaged in urban service activities, in no way correspond to the 'helpless victims' image. Wilfredo Lozano, a pioneer of work on migrant day labourers on rice and coffee farms, sets his sights on those responsible for distorting reality:

Contrary to what many analysts sustain, and to the disingenuous and paternalist picture painted by political groups, the agricultural day labourer is dynamically integrated into the labour market. The day labourer has excellent knowledge of the labour force requirements of the farmers; they know well in which *parajes* (hamlets) and farms better salaries are paid, and intelligently negotiate their labour relations with the farmers. The day labourers know all this better than academics and politicians, because their livelihood depends on it, even when their knowledge goes not guarantee better pay and jobs. But this knowledge does constitute a requirement for survival in a world characterised by economic instability and precarious levels of life.

In this respect the Haitian day labourers are not very different from the Dominicans. They know well the labour needs of the farmers; they receive information from friends and have contacts in the hamlets and farms which allow them to judge when and in which hamlet, farm or region, labour is required, and where the best wages are being paid. Nothing is more false than the image of a Haitian day labourer frightened and passive in the face of the reverses of fortune and the complexities of the Dominican labour market. Thus the Haitian day labourer does not go to work on Dominican farms pressured by forces other than those of the market. (Lozano, 1998, p165)

The quotation above could refer equally well to Haitian immigrant workers in other sectors of the economy. In fact there is a common belief among Dominicans that Haitians work harder and in a more entrepreneurial manner than do Dominicans in equivalent jobs. A typical opinion is that of Antonio Rosario Rubio, a 66-year-old cocoa worker near to the town of Castillo in the eastern Cibao, who is the *encargado* (foreman) of a small 20 acre farm on which he has worked for 40 years:

The Haitians work like the devil from dawn until dusk. The Dominicans are lazy, they get up late and don't start work on the farm until after 8am. They have a break for breakfast that we take down to them, and come off the farm for lunch at midday. Then they do two more hours work and finish at 4pm. And the Haitians will go with their *colines* (machetes) into the *monte* (undergrowth) with no fear [he means fear of snakes and wasps]. (Interview by the authors)

Typically, Mr Rosario thinks Dominican laziness and Haitian hard work have ethnic causes. In fact, the Dominicans working on his farm have their own small-holdings as well as their work as day labourers, a common pattern in Dominican peasant agriculture.¹³ They need time during the day to feed and water their pigs and horses and to attend to family tasks at home. By contrast the Haitians referred to were single and mostly young, motivated to make money in the shortest time possible to take or send back to their families in Haiti. One need look no further to explain the difference in work motivation.

We met the Haitians to whom Mr Rosario was referring. They were a work team of five young men led by a 40-year-old, Mr Muli6n, who comes from Thiotte in the extreme south-east of Haiti – about as far as you can get from Castillo, and an example of the wide coverage of the flow of migrant labourers between the countries. Mr Muli6n enlisted the young men and brought them over with him. His personal objective was to save money in order to get married at home after Christmas. His complaint about the work available to them was the low pay and the fact that better remunerated work was monopolised by Dominicans, specifically by Mr Rosario and his family. The difference here was between the manual work of clearing and weeding under the cocoa trees, and the skilled tasks of pruning the trees and harvesting of the cocoa pods. Mr Rosario explained that for the latter he had to have *gente de confianza que sabe el trabajo* (trustworthy and experienced people).

This small example of the cocoa farm illustrates the segmentation of labour opportunities that is common all over the country and particularly in agriculture and construction. The hard, lower paid manual work is done by Haitians, while the more skilled and better paid tasks are performed by Dominicans. On rice farms, for example, the jobs for Haitian day labourers are in preparing the paddies for planting, while the Dominicans are employed for harvest and post-harvest activities. On a typical construction site the manual work of digging, mixing cement, and carrying is done by Haitians. The skilled and semi-skilled workers, the block layers, plasterers, electricians, carpenters, plumbers, and tile layers, are Dominican, as is the *maestro* (master builder or foreman) in charge of the work and the *ingeniero* (construction engineer) to whom he responds. The *ingeniero* is the budget holder and contracts the *maestro* on the basis of a fixed sum for the work to be done. The *maestro* finds the workers he needs. Very often he will have his ‘own’ skilled workers, people he has worked with before. The labourers will be found by spreading the word around among the informal networks of Haitian workers although on the larger sites, which require labourers in greater numbers, there is some

¹³ This is also one of the main reasons why few Dominican agricultural labourers are willing to leave their small-holdings to work on plantations.

new evidence of degrees of organisation of labour supply, where Haitian or Dominican intermediaries have Haitian labourers 'on their books' and negotiate with the maestros.

The ingeniero allocates funds weekly to the maestro who deducts his own wages and pays the workers, generally on Saturday at 5pm, a sure means of preventing labourers from knocking off early for the weekend. Particularly on the smaller sites there appears to be much discretion given to the maestro on what he pays to whom. The local labour market influences but does not determine what the wage rates are for different jobs including manual labour. Haitian workers in construction are paid less than Dominicans but this may be in part because of the 'segmentation' factor. The Haitians are the manual labourers and the Dominicans are the more skilled workers.

Abuses and discrimination occur in three main areas. One derives from the widespread practice of not issuing written work contracts to Haitian labourers (and in many cases, not only to Haitians). On many building sites there is not even a register of the names and cédula numbers of the workers as the law requires; and the Haitians rarely possess cédulas. They are employed informally by the maestro, allowing the ingeniero to avoid the obligation to pay social security contributions. The provisions of the labour law are not applied and the Haitian labourers have no protection or redress. They are at the mercy of the employer who can dismiss them at any time for any reason, justified or not; make arbitrary deductions from their weekly pay; and take no responsibility for health and safety in the workplace.

There is also the vulnerability and uncertainty created by the ever present fear of detention and deportation. There are accounts of unscrupulous employers who, when Haitian workers complain of unfair treatment, threaten to report them to the migration officials. If they are taken for deportation they will not receive any outstanding pay. This vulnerability acts as a powerful disincentive to participation in trade union or other collective efforts to represent and defend labour rights.

Finally, the fact that Haitian labourers are denied access to the better-paid skilled and semi-skilled jobs is discriminatory. One reason for the lack of such access is that many 'first time' Haitian migrant workers are young and have come into the labour market relatively recently. They do not have the skills and experience needed to compete for better-paid jobs. Evidence tells us that they acquire a working knowledge of Spanish rapidly but their command of the language is often limited and heavily accented. Some find training opportunities, perhaps in small workshops, or by being accepted by skilled Dominican workers as apprentices, but most do not, and are locked into manual labour from which it is difficult to escape. Another cause is racially motivated denial of equal opportunities, which is often expressed, as we have seen, as a preference

by employers for *gente de confianza*, people in whom they trust; that is to say, people like themselves. There is no equivalent in the Dominican Republic, either in law or in practice, to equal opportunities policy such as exists in Europe and the United States.

However it is important to understand that Haitian immigrants are not alone in being denied opportunities because they are perceived to be 'different'. Black, poor, and female Dominicans all face discrimination every day in one form or another. In the Dominican Republic prejudice against Haitians takes its place alongside race, class and gender prejudice, and is part of a wider problem of a highly unequal society where democracy and the rule of law has yet to be firmly established. In this respect the country is no different from many others.

Women traders and workers

Up until the early 1990s there was little discussion of the female migrant, the gender perspective, or the household in relation to Haitian migration to the Dominican Republic. In 1991 Senaida Jansen and Cecilia Millán wrote an important book on the bateys where the authors drew attention to the 'double day' worked by many women in the home and, increasingly, outside (Jansen and Millán, 1991). Surprisingly their research findings and leads were not followed up for over a decade.

A study commissioned by the Groupe d'Appui aux Rapatriés et aux Réfugiés (GARR – the support group for Haitian refugees and deportees) in Port-au-Prince and the Movimiento de Mujeres Dominico-Haitianas (MUDHA – the movement of Dominico-Haitian women) in Santo Domingo and carried out in 2002/2003 has thrown new light on the impact of migration on Haitian women and their families (TAG, Etude, 2003). In Haiti, interviews were carried out with repatriated women and those who have never migrated but whose partner or 'baby father' (father of one or more of their children) lives in the Dominican Republic. On the other side of the border, interviews were conducted in the bateys, other agricultural zones beyond the cane-fields, and in selected urban areas.

The study has come up with some novel findings. The profile of the migrant is beginning to change. On the one hand, small-scale peasants and artisans no longer predominate, as young people with a higher level of schooling from the urban slum areas are migrating. On the other hand, women have a higher profile, now making up a quarter of the migrant population. They migrate not exclusively as partners of their men folk but directly enter the Dominican labour market themselves. There is a new category of female migrant, namely Haitian women who live in the Dominican Republic for purposes of their workplace but constantly move between the two countries to obtain and sell goods as small-scale traders.

The motives for migrating are chiefly economic and the majority of the women are young and have children. Most of the migration is irregular except for many of the women traders who claim to have visas in their passports. In the workplace women migrants are to be found mainly in agriculture, especially at harvest time, in domestic service or in trading activities. Although they may earn less than the going rate for the job, their remuneration is better than what would be available in Haiti. Contact with Haiti is maintained as feasible and there is relatively little integration in local society. There appears to be a relatively low level of organisation and the women are often the victims of abuse, especially during repatriations. Traders may often suffer extortion at the border. Most women do not know their rights as migrants nor the gender specifics of these.

Among the proposals to emerge from the study are the following:

- Any new migration law in the Dominican Republic should take specific account of women migrants, and this needs to be lobbied for
- Civil society organisations should work with women migrants to help them organise, and should encourage a rights-based stance on the part of their representatives.

The life of women working as cross-border traders is illustrated by the story of Jocelyne (interviewed by the authors). Jocelyne (not her real name) is in her early 20s and lives in Ouanaminthe on the Haitian side of the northern border. She says that she has been trading across the border for 10 years, at first helping her mother and now on her own.

Along with other Haitian women she travels regularly to the second city of Haiti, Cap Haïtien, to buy shoes that she sells in the Dominican town of Dajabón across the border from Ouanaminthe. In the Dominican Republic she buys tough plastic bags for resale in Haiti. She is also involved in the sale of used clothing that arrives in packages in Haiti and is traded by Haitians with Dominican buyers across the border who are also mainly women. Those involved in the clothing trade are known in Dominican Spanish as *pepeceras* (from the 'Pepe' garment brand name).

Jocelyne explains that her work is crucial for her family income since her husband was evicted from the land on which he was a sharecropper when the border free trade zone was established in 2002. On top of this she and her sister traders had a big scare in July 2002 when the Dominican government tried to implement an old law prohibiting the import of used clothing. The border was effectively closed for a month while the Dominican *pepeceras* organised widely supported demonstrations against a measure that had come out of the blue. Women on the Haitian side of the border, fewer in number but equally determined, joined the protest and the offending measure was rescinded.

Jocelyne remarks that: 'Trading is not easy because it means I have to be away from home to travel in Haiti and then across the border.

Sometimes I make little if I have to give pay-offs all the way along the line to officials and military officers.’ She adds: ‘Trading should continue but we should be protected from *macuteo* (extortion) in order to be able to take home enough to feed the family.’

Like Jocelyne, most of the women traders on the border agree that trading could benefit from being legally regulated. To date, proposals, including draft legislation from Dominican congressmen, have not been well received by the market protagonists who, like Jocelyne, seek to eke out a living from small-scale trading.

Child migrant labour

Haitian children begging on street corners in Santo Domingo and other major cities such as Santiago, and the smuggling of Haitian minors into the county, has been a new cause for concern. A 2002 study revealed that these minors are smuggled in by organised networks, with the complicity of military personnel on the frontier (Tejeda, Gilles and Artola, 2002).¹⁴ Over 2,000 young people come across the northern border annually in this way. Normally this takes place with the knowledge and consent of the children’s parents, who pay the smugglers – often people known or recommended to them. The parents say that the children are cared for in the Dominican Republic by relatives or people they know and trust. They also point out that in poor households it is normal for the children to work during the long school vacation. However, almost all the youngsters concerned are involved in exploitative work, in the rural areas, in the informal sector or, in the worst cases, in gangs as beggars. There are no known cases of sexual exploitation.

Most of the children live in extremely vulnerable circumstances. Their living conditions and diet are terrible, and their access to health services is minimal or non-existent. They are subject to abuse because of where they come from and because of their irregular status in the country. The children are sent over during the three-month summer holiday and return home to their family for the beginning of the new school year. However, of the sample surveyed, one-third stayed on in the Dominican Republic, working in the urban informal sector or in agricultural labour. Many experience emotional instability and psycho-social problems.

¹⁴ The study was based on field research in both countries including interviews with parents in Haiti.



Chapter seven Responses to Haitian immigration

Current government policy and practice

The government of Hipólito Mejía (in office for a four-year term from 2000), unlike its predecessors, has not so far sought to provoke or endorse fears of Haitian immigration for electoral advantage. The presidential election campaign of 2000 and especially that for the congressional and local government elections of 2002 were the first in recent times that were largely free of xenophobia. In part this is because of the lasting influence in the Partido Revolucionario Dominicano (PRD – the Dominican Revolutionary Party) of its former leader and icon, José Francisco Peña Gómez, the target of racist smears in the 1990s. In addition, the PRD has been the majority party with a mass base and strong local organisations all over the country. With its backing, Mejía won in 2000 on the first ballot with almost 50 per cent of the vote. The PRD is the majority party in the Senate and Chamber of Deputies. Unlike the previous government, which was a coalition of different groups that included the Nationalists, Mejía has had no significant political debts to pay to groups outside the PRD.

Especially during the first two years, some senior posts in the administration were filled by people who are democratic socialists sympathetic to human rights issues. Unfortunately their influence has been limited in a government that has lacked overall coherence and depends almost entirely on the president. Mejía has other priorities and has provided no leadership on human rights and migration issues.

At the same time, some government ministries have made progress. The abandonment of the previous discriminatory draft migration legislation is to be applauded. The substitution of the 1939 law by new draft legislation that incorporates modern principles of non-discrimination and is compatible with international law is a huge step forward. For the first time the process of drafting the legislation allowed public debate and consultation with interested groups from civil society. The question is how this will be taken forward to a decision on migration law reform.

Meanwhile, the essentials of policy have remained relatively unchanged from previous governments. The general approach has been:

- Limiting the entry of Haitians into the country to those categories which are needed in the national interest, such as where their labour is required
- Controlling entry of Haitians by the issue of visas, work permits, and other documentation, which must be applied for at the Dominican consulates in Haiti prior to entry. Work permits require approved requests from the prospective employer
- Deportation of undocumented Haitians residing in the country
- Cooperation with the government of Haiti on migration questions, especially documentation.

On the first three points the government has not taken steps to stop or significantly mitigate human rights abuses. As we have seen, exploitation of Haitian labour continues. Entry controls are no more effective than before and the number of undocumented Haitians in the country appears to be rising, despite a programme (agreed between the two governments and implemented through the Haitian consulates) of providing Haitian birth certificates and passports to Haitian immigrants in the Dominican Republic.

Without documents Haitians have difficulty in obtaining access to the public health system and in getting their children admitted to state schools. The government has given top priority to two major reforms, which are the new national social security system and the education plan for the new decade, both of which began to be implemented in 2003. Neither takes account of the issue of how the poorest and the undocumented, including immigrants, are to be incorporated. This is particularly disappointing when a national priority, strongly backed by international financial support and advice, is the anti-poverty programme.

The information (reported in the media in 2003) that there are two million people without birth certificates, the vast majority of whom are Dominicans, took the social security authorities by surprise. Government responses have been either to ignore the documentation issue or to resort to *ad hoc* and contradictory measures. In 2001, responding to concern that the children of Haitians were denied places in primary schools, the vice-president and minister for education, Milagros Ortiz Bosch, announced that the children would be admitted, a decision warmly welcomed by liberal opinion and human rights workers but adamantly opposed by the Nationalists and the right. A year later she rescinded the decision. Instead, the admission or not of children lacking birth certificates was left to the directors of the schools, a messy compromise which brings into play the inclinations and prejudices of the people who are the school authorities.

The continuation of collective (though fewer mass) deportations of Haitians has been disappointing. The annual number of deportees has not decreased significantly compared to the years of the previous administration, and in 2000 and 2001 was over 30,000, although there appears to have been some decrease in 2003. The issue is the way in which the repatriations are carried out and whether human rights are respected. International law prohibits 'collective' and 'mass' deportation. Each individual case must be considered. There must be due process in the way the case is heard, and the individual has the right to be represented, and to contact their family. There must be no mistreatment of the person or robbery of property. Families should not be divided. An

Amnesty International report refers to the way in which repatriations were carried out in 2002:

The security forces continued to forcibly return people thought to be Haitians without proper documentation who were apprehended during police sweeps. Migration authorities of the province of Dajabón reported having forcibly repatriated over 7,000 Haitians between January and June 2002. According to reports, the authorities often failed to give people the opportunity to demonstrate their status and as a result a number of Dominican nationals of Haitian origin were expelled from their own country. Those returned may have included people at risk of human rights violations in Haiti. There were also reports of police brutality during repatriations. (Amnistía Internacional, 2003, p365)

The social and economic elite

A feature of Dominican political and economic life is the power wielded by a relatively small but highly influential elite known loosely as 'the oligarchy'. This is largely made up of fabulously wealthy families. In some cases they have upper class surnames going back to the 19th century, but their fortunes were made from the dismantling of the Trujillo economic empire that gave them a base on which to profit from the years of extraordinary growth in the 1990s. They are the owners of the business consortia that control the main industries, services, import-export houses, banks and insurance companies, and media empires. The top hierarchy of the Catholic church and the armed forces are in the circle, as are certain politicians, mostly family members of the elite.

The oligarchy exercises its power by means of money that buys political connections, control of much of the media, domination of business pressure groups, and the most influential lawyers' practices. Previously the political strategy of this group was to align with Balaguer's party, which, when Balaguer was in power, was both a profitable relationship as well as a means of resisting both the left inspired by the Cuban revolution and the populist and democratic thrust of the PRD. With the changes since the cold war, the elite has hedged its political bets. Today they have connections with all three of the main political parties, including the PRD.

The oligarchy has considerable social and cultural as well as political influence. Through the media they project a traditional, paternalist, and hispanic vision of the country. The elite is ambiguous on the issue of Haitian migration, since rich businesses profit from low-paid manual labour, but in general this is where the more regressive views of the role of Haitians in the country originate.

A new vision of the border

Increased official attention has been given since 1999 to the Dominican-Haitian border. An earmarked budget has been allocated for the purpose, administered through a newly-created government directorate for the integrated development of the border. The focus combines two priorities. One is strengthened relations with Haiti and cooperation between the countries on a range of matters of mutual interest. The other is the Dominican government's poverty reduction policy that targets the area because of the high indices of poverty in the provinces along the border. These considerations are important because they take the debate beyond the narrow confines of national security issues.

The new vision of the border and of cross-border relations has opened up opportunities for bi-national cooperation on water and the environment, where both countries have vital interests in protecting the watersheds in the Dominican Republic's central mountain range, which also feed Haiti's Artibonite river. There are also opportunities for encouraging reciprocal trade and controlling contraband, and for common health programmes including the control of epidemics such as HIV and AIDS.

The links between civil society organisations along the frontier, often backed by the churches, have helped reinforce new approaches and question vested interests in the area, such as those of the Dominican army, which is re-examining its role since the Haitian army was abolished in 1994. Symbolic of this new era is the bi-national free trade zone complex that is being established in Ouanaminthe/Dajabón on the northern border (irrespective of the criticisms of some social organisations of this type of development and the non-consultative manner in which the project is being executed).

Most are agreed that proper regulation of trade on the border and new legislation regulating migration flows to and from the Dominican Republic are highly desirable. However, some worry that, in a worst case scenario, the net result could be increased repression if comprehensive education on human rights does not take place at all levels when a new migration law is implemented.

In 2003 cooperation began between Haitian and Dominican authorities, backed by international organisations, on the issue of the smuggling of Haitian minors into the Dominican Republic. It remains to be seen whether this will result in tangible benefits for the children involved.

The debate about the impact of Haitian immigration

There is no substantial study of the economic and social impact of Haitian immigration. One might believe that the movement of labour from Haiti (a poor country) to the Dominican Republic (a middle income

country), and of Dominican workers to the United States (a rich country), would be beneficial. The US needs labour as its population grows older, the Dominican Republic requires workers for jobs Dominicans do not want to fill, and Haiti needs to reduce unemployment. The arrangement creates wealth in the former two countries, and reduces poverty in the latter. Meanwhile there is a built-in distribution mechanism through remittances from the migrant wage earners to their families back home, which alleviates poverty in the Dominican Republic and Haiti.

The World Bank takes a different and contentious view in its 2002 report on poverty in the Dominican Republic (World Bank, 2002a). The report argues that Haitian labourers create wealth, but for the rich, not for the poor. They force already low wages down, increasing poverty, and inhibit the mechanisation and modernisation of enterprises. The document concludes that the immigrants may de-rail the government's poverty reduction plans.

It is worth addressing the World Bank's main points. The report uncritically accepts the figure of 500,000 'Haitians' which can certainly be challenged (see chapter 3). The World Bank then takes for granted that all 500,000 people are labourers in low-paid jobs and that they are illegal (or what the report calls 'in a legal situation defined as precarious'; World Bank, 2002a, p61). In fact, as we have seen, Haitian-Dominicans, probably half the 500,000 total, are in all sorts of jobs throughout most of the economy. Where the low-paid labourers are concerned, they mostly compete for jobs with other Haitian manual workers, not with Dominicans who do not want to work at these levels. Wages for labourers are forced down, but they are still much higher than in Haiti. It is true that Haitian manual workers create wealth for the rich and not for the poor, but so do millions of Dominicans.

In theory an abundant supply of manual labour reduces the pressure for businesses to mechanise and modernise to save labour costs and increase efficiency. In practice, mechanisation means job losses at most levels, and not only among manual workers. In periods of adjustment, which may last several years, unemployment and poverty may increase in the short (and medium) term unless there are compensating factors.

The sections of the World Bank report which refer to Haitian migrants (and not the main part of the document which is about the causes and extent of poverty) were cited uncritically all over the media and in statements by politicians and business leaders. Critics of the report have not been able to have their responses widely heard.

Finally the report had nothing to say on areas where immigrants contribute to their new countries. Evidence from elsewhere is that immigrants, when they have acquired the language, are more productive than nationals. This seems to be the case with the Haitians. Immigrants

often find niches that create jobs, as they have in the Dominican Republic, for example in selling Haitian art and handicrafts.

Are the immigrants a significant extra burden on the state, and particularly on the national education and health systems? Here one must remember that recently arrived migrants are mostly young adults whose health and education costs incurred in childhood and adolescence were borne in Haiti. Clearly the established population of Haitian immigrants will increasingly use state services where they can access them, putting more pressure on over-stretched and poorly funded state schools and hospitals. This appears to be a significant problem in the poorest areas of the country, in the south-west and the border provinces. On the other hand, low income immigrants contribute to taxation revenue in the same way as do poorer Dominicans, who are outside the income tax bracket but pay indirect taxes, particularly the value added tax on goods and services. No study exists to show whether Haitian immigrants are a net burden on, or net contributors to, the state.

Will the country be 'swamped' by Haitians over the next 20 years, leading to a radical change of the character and culture of the population? This fear is surprisingly widely held. The answer is that the immigrants are a minority that, while growing, is unlikely to reach anything like as much as 10 per cent of the population before the country implements an effective migration law.

On the question of culture, one is struck by how little impact nearly a century of Haitian immigration has had on Dominican culture. With the exceptions of the border provinces and the bateys, and of groups of the intelligentsia, Dominicans know next to nothing about Haitian language, music, religion, literature, cuisine, and systems of community organisation. The Dominican Republic's culture has been swamped, but by the popular culture of the United States.

Behind the fear of a silent invasion are two unstated concerns. One is that the country will become more 'black'. The other is that the political balance will be changed, which has its origins in the conviction of the upper class that naturalised Haitians would support the PRD under Peña Gómez. There are both race and class aspects to this fear. The PRD has strong support among the poor and working class. Many believe that Haitian immigration could add to this support and create an unpredictable threat to the established order.

The political and economic crisis of 2003

The economic and political crisis that began in 2003 was the most serious setback the country has faced since the late 1980s. It was a profound shock, coming as it did after 10 years of record growth and, for many if not most Dominicans, increasing personal incomes.

The immediate cause of the problem was the failure of the second largest private bank, Banco Intercontinental, followed by two other banks. The government blamed factors beyond its control, especially the international economic downturn of 2002 and the alleged corruption of the owners and managers of the failed banks. The opposition claimed that Central Bank supervision under the banking laws was deficient, and that the repercussions of unfavourable international conditions were badly managed by the government. In 2001-2, the government had followed an expansionary policy financed by large amounts of foreign borrowing, substantially increasing public spending during the run-up to the 2002 congressional and local government elections. Critics say this left the country in a weak position from which to manage the events of 2003.

Whatever the cause, the monetary losses were staggeringly high in a relatively small economy. A two billion dollar hole was left in the accounts. Because of the government's decision to underwrite the funds of the failed banks' depositors, the deficit will have to be financed by taxpayers. While underlying economic trends are still favourable with the rise in income from tourism, free trade assembly plants, and remittances, Dominicans will face hardship until the economy recovers.

In 2003 inflation was over 40 per cent, and the economy was expected to shrink by an estimated three per cent. Shortage of funds halted work on thousands of public works projects. State services and subsidies were cut back across the public sector (including schools, state health services, and public transport), while increasingly longer delays took place in disbursements of budgeted funds for salaries and running costs.

While it is difficult to predict the effects the crisis will have on Haitian immigrants, some general remarks can be made. Firstly, sharply rising unemployment and the falling purchasing power of wages and salaries will affect labour migration from Haiti. There are fewer jobs, especially in the construction industry and agriculture – although where work can be found, depressed real wages are still higher than those in Haiti. Employers may consequently replace Dominican labourers with Haitians in order to reduce costs, increasing exploitation and possibly promoting resentment.

While there is as yet no sign of any increase in anti-Haitian feeling, such as occurred during earlier crises when politicians promoted xenophobia to distract public attention from their difficulties, the unpredictability of the situation (in Haiti as well as in the Dominican Republic) is such that the possibility of a new outbreak of anti-Haitianism needs to be addressed. At the end of 2003, this uncertainty was compounded by a political crisis caused by divisions in the governing party over president Mejía's campaign for re-election and the charged and volatile atmosphere leading up to the elections in May 2004.

Finally, the Dominican crisis has had the effect of postponing or

abandoning a series of important institutional reforms designed to improve key areas such as migration legislation, law and order, and accountability of the state. In many cases proposed legislation has been stuck in Congress for several years, and the laws are likely to be put on hold until after the 2004 presidential elections. This will be a setback, hopefully temporary, to progress on human rights issues including those affecting immigrants and Haitian-Dominicans.



Chapter eight
Campaigning: the human rights
of Haitians and their descendants
in the Dominican Republic

Civil society organisations in the 1980s

In the 1980s in the Dominican Republic, as in other Latin American and Caribbean countries, NGOs and religious-based groups mushroomed and focused their efforts on the absolutely poor and those most excluded from society. The bateys were the poorest and most isolated rural communities in the country, and an array of civil society organisations, both religious and secular, comprising Haitians, Dominicans and Haitian-Dominicans, began supporting projects there, notably where the state sugar council (CEA) was not providing basic services.

Not much changed when Jean-Claude Duvalier was forced to flee from Haiti in early 1986 except that there was no further official agreement between the two governments for the recruitment of the braceros. A confused period ensued until Jean-Bertrand Aristide assumed the Haitian presidency in 1991, after the first free and fair elections in Haiti since independence. Just before the bloody coup of September 1991, Aristide made an emotional speech to the United Nations, denouncing the abuses suffered by Haitian migrant labourers in the Dominican cane fields. There were precipitating reasons that provoked this somewhat undiplomatic outburst.

The crisis of 1991

1991 was a watershed in the Dominican Republic in demonstrating the possibilities for local actors to influence international opinion on the Haitian migrant labour issue. The International Labour Organisation (ILO) and other international agencies subsequently raised concerns about the situation, but the Dominican government rode out criticism by convincing the US State Department of their good faith in undertaking to improve conditions for cane cutters and to halt some of the most blatant abuses.

Concerns had focused on accusations that children were working in forced labour conditions in the bateys. In addition, the Lawyers' Committee for Human Rights (LCHR) based in New York reported on the role of the camp guards and the use of written contracts for the braceros in which the version in Kreyol was virtually unintelligible (LCHR, 1991). Its report was followed up by the testimony given to the US Congress by the Dominican Episcopal/Anglican church represented by Edwin Paraison. While detailing some of the advances during the previous year within the sugar industry, Paraison gave evidence of continued abuses in restriction of movement, child labour, forced labour, lack of freedom to organise, and the injustices in the method and manner of remuneration. The testimony came precisely when the ILO (on information from the Dominican government) was declaring the opposite.

In order to be seen to be responding to criticism from local church sources that was broadcast internationally, president Balaguer enacted

decree 233-91, ordering the expulsion of all undocumented Haitians under the age of 16 and over the age of 60. Under the guise of a humanitarian measure, in which the young and old were to be exempted from work in the cane fields, indiscriminate deportations of young people, adults and the elderly immediately ensued. It is estimated that 35,000 people were expelled, and many more left on their own initiative in order to avoid harassment and abuse by the military.

In a report of September 1991, the Comisión Interamericana de Derechos Humanos (CIDH – the Inter-American Human Rights Commission) concluded that the decree had ‘imposed a collective expulsion’ and ‘unleashed an indiscriminate persecution against Haitians and their descendants, whether or not they had been born in the Dominican Republic, in order to expel them from the country’ (CIDH, 1991). At first the Haitian government reacted to the decree through discreet and understated diplomacy while making overtures to the Organisation of American States, the United Nations, and Caricom (the Caribbean Community and Common Market). This changed into vociferous protest when it became clear that there was little room for dialogue with the Dominican authorities. Undoubtedly the failure to address the problem of the mass expulsions explains in part president Aristide’s impassioned speech at the UN against the Dominican government, shortly before he was forced into exile in September 1991.

A network of campaigning groups

Eighteen Dominican civil society organisations visited Haiti shortly after the decree was promulgated. The visitors were well received by Haitian counterparts and a movement of support and exchange between the two countries began. An immediate response to the decree was an exchange of information across the island on families who had been divided by the expulsions. A Dominican delegation to Port-au-Prince raised the question of the need for documentation for Haitians who travel to the Dominican Republic. International development agencies were active at the time of the crisis, raising emergency funds (for example, for the temporary camps in Haiti for the deportees), and making use of their communication channels across the island and between the island and the international community. Oxfam UK, for example, was a founder member of and catalyst to the establishment of the Haitian NGO, GARR (the support group for Haitian refugees and deportees), formed to deal with the humanitarian crisis of the mass deportations on the Haitian side of the border.

Shortly afterwards came the coup in Haiti and the flight of Haitians. It is calculated that some 20,000 people (this figure does not take account of the normal migrant labour flow) crossed into the Dominican Republic, displaced by the repression under the Cedras regime that lasted three

years until an international military intervention removed it in September 1994. Little effort was made by the Dominican authorities to consider political asylum applications during this period.

Campaigning groups concentrated on pressing for the re-establishment of constitutional order in Haiti and responding to the humanitarian needs created by repression in Haiti. Expectations were high among civil society organisations across the island when president Aristide was reinstated in October 1994. Given the changed situation, the Dominican NGO Oné Respe – Centro de Reflexión, Encuentro y Solidaridad (the centre for reflection, encounter and solidarity), and the Haitian NGO Coopération Haïtiano-Néerlandaise – Bureau de Recherche et Développement (COHAN-BRD – the research and development office of the organisation for Haitian-Dutch cooperation), jointly organised a workshop in Santo Domingo in early 1995 to take stock of Dominico-Haitian relations and to consider new approaches for work in the Dominican Republic with Haitians and Haitian-Dominicans. A spectrum of civil society organisations from both sides of the island participated in this seminar. One outcome was the setting up of a network of civil society organisations in the Dominican Republic working with Haitians and their descendants that was later to be known as the Red de Encuentro Dominico-Haitiano Jacques Viau (REDH Jacques Viau – the Dominico-Haitian Encounter Network Jacques Viau).¹⁵

Also around this time, a British Jesuit, Michael Campbell-Johnson SJ, visited the Dominican Republic. He had extensive knowledge of refugees and displaced persons in Mexico and Central America and was struck by seeing at first hand the disadvantage and exclusion of Haitian immigrants and their descendants. His report recommended that the Jesuit Refugee Service (JRS) begin a programme of support on the island to respond to those who were being forcibly displaced. This report was swiftly acted on and a Dominican branch of the JRS was set up.

As a first step, in 1997 the new JRS office carried out a study to see where the Jesuits might make a distinctive contribution. This widely-consulted study was published the following year (Badillo, 1998). It argued that, despite the fact that Haitian immigrants had moved beyond the bateys, civil society organisations were still mainly working with the sugar cane cutters and their families. Surprisingly little attention was being given to urban and suburban contexts or the Dominico-Haitian border. In part because of the extreme impoverishment faced by the migrants, NGO responses were often oriented towards welfare and relief

¹⁵ The name is a tribute to the contribution made by the Haitian revolutionary and poet Jacques Viau to more harmonious relations between Haitians and Dominicans. Jacques Viau was killed in Santo Domingo at the age of 21 during fighting at the time of the US-led intervention of 1965.

rather than addressing problems with a rights-based approach.

While drawing attention to successes in the work to date, the analysis stressed that more effective coordination was needed, and that more impact would be made if organisations improved their strategic skills. It also noted that a more coherent communications strategy would be necessary, suggesting a regular publication to sensitise national and international opinion on the more burning issues. An example was the way in which the women's movement in the country had influenced public opinion through an acclaimed magazine called *Quehaceres* (Occupations), produced by the Centro de Investigaciones para la Acción Femenina (the research centre for action on women's issues).

These insights were invaluable not just for the nascent work of the JRS but also for the REDH Jacques Viau. Thus from an early stage the network defined its objectives as:

- to defend the rights of the Haitian-Dominicans and Haitian immigrants in the country
- to combat anti-Haitian prejudice and racism in the Dominican Republic
- to encourage solidarity within and between the communities with which its members work.

The REDH Jacques Viau now has a membership of 16 organisations. The network is unique in the spread of organisations represented, spanning church-based organisations, union-related groups, and organisations specialising in legal aid and in gender issues. It covers key areas of the country including the border and the bateys.

The legal framework

In 1996 the Jacques Viau network was confronted with a major public policy issue when the Dominican government presented the first of what would be several new migration law proposals. Nobody in the country was in disagreement with the need to replace the obsolete migration law of 1939. However, the members of the REDH Jacques Viau considered that the new proposal, if approved, would be a step backward. In 1998 the network published a well-argued pamphlet explaining how the proposed changes would violate the constitution, weaken institutional democracy, and erode the rule of law. It argued that they were out of tune with Dominican reality and, were they to be approved, would encourage the very thing they were supposedly trying to stamp out, namely undocumented migrants in the country (REDH Jacques Viau, 1998).

Worse was to come when an even more discriminatory proposal appeared in early 2000 under the Fernández government of the Partido de la Liberación Dominicana (PLD – the Dominican Liberation Party), with none of the recommendations of the network incorporated.

Women's organisations and the Asociación de Médicos Dominicanos (the national association of Dominican doctors) joined the network in voicing concerns at the way in which it was proposed that migrants, and especially women, were to be denied access to health services. When the PRD government came to power in mid 2000, this proposal was withdrawn, in part due to pressure from the network and other civil society organisations.

The network decided to go on the offensive. Moving beyond criticisms of the inapposite proposals presented to date, the REDH Jacques Viau consulted an expert adviser and published a document in March 2001 with observations on the last legislative proposal and suggestions for what should be in a new bill (REDH Jacques Viau, 2001).

The majority of the network's guiding principles and suggestions were indeed incorporated into a new draft law. Immediately the network sought to strengthen lobbying for the new proposal by making common cause with strategic allies. Given the powerful influence of the higher echelons of the Catholic church, approaches were made to bishops working on the border. The network was able to enter a dialogue with the Episcopal Assembly, and influence positively its position on the new proposal.

By mid 2002 a coalition had been developed comprising the Facultad Latinoamericana de Ciencias Sociales (Latin American Faculty of Social Sciences), the American Society of Jurists, Participación Ciudadana (Citizens' Participation – a civil society organisation) and the REDH Jacques Viau. A press statement was issued by the coalition in August 2002 highlighting, among other things, the adherence of the new proposal to international norms, and the fact that the proposal gives due attention to Dominican emigration as well as to the country as a host nation for migrants. It also highlighted the provision of adequate checks and balances between the different state authorities involved, the establishment of special tribunals and, in general, the strengthening of the rule of law.

Subsequently there have been closed door consultations convened by the Dominican foreign ministry, and it is unclear to what extent the chauvinist Nationalist group has been able to dilute the new draft. The network and the coalition are ready to take action, depending on the final document submitted for consideration by the Dominican Congress.

The enabling framework that could be provided by a new, more modern and just migration law is a key need. Without normative legislation, it is difficult to press the Dominican authorities to regularise the status of those long-standing residents in the country who do not have documents. Similarly, it is not easy to lobby for the rights of migrant workers as enshrined in the newly ratified international convention on the rights of all migrant workers and their family

members, which came into force on 1 July 2003 but to which the Dominican Republic has yet to commit itself.

The campaign for nationality

Since 2000, the network has focused on a campaign for the right to Dominican nationality, enshrined in article 11 of the constitution, to be fully respected. The campaign benefited from ground-breaking work carried out on this topic over several years by the Movimiento de Mujeres Dominico-Haitianas (MUDHA – the movement of Dominico-Haitian women), and from the experience of the Dominican NGO Centro Dominicano de Asesoría e Investigaciones Legales (the Dominican centre for legal advice and research) in working with the Catholic Bishops' Conference on a Latin America-wide campaign to reduce high numbers of children without birth certificates.

The issue is that all children born in the Dominican Republic have the right to Dominican nationality, but children of Haitian parentage are routinely discriminated against, and the constitutional right is unevenly and arbitrarily applied across the country. This takes place in a context where, according to official sources reported in the media in 2003, up to a quarter of the Dominican population do not possess a birth certificate.

The specific objectives of the network's campaign have been:

- to increase awareness among the public in general and the Dominican authorities in particular of the social, economic and political impact of the violations of human and constitutional rights of people born in the Dominican Republic
- to promote the establishment of mechanisms to ensure recognition of the right to Dominican nationality.

In relation to the first objective, the activities carried out include: talks with focus groups of teachers, parents, legal promoters, community authorities and religious personnel; meetings with candidates for local elections; workshops with community leaders; a vigil of undocumented children mobilised to demand their rights; and coordination with sister organisations in Haiti. In part due to the network's lobbying through Haitian diplomatic channels, in January 2002 the Haitian government renewed legislation that allows Haitian nationals to receive their identity documents through the Haitian embassy in Santo Domingo. The advantage of this measure is that Haitians in the Dominican Republic can regularise their situation and can therefore more easily register their sons and daughters as Dominican nationals when they are born in the Dominican Republic.

Concerning the second objective, profiles were drawn up of the registry offices where the network's member organisations work; key individuals were focused on as pressure points; a seminar was held with

the national university on law 659 governing the issue of birth certificates; and there have been operations to obtain documents for children who are 'undeclared'.

One of the expected results of the profiles of the registry offices was the emergence of well-documented cases where birth certificates had been denied to children of Haitian parentage. Based on the findings of this survey, a dynamic group of young lawyers decided to take out two legal cases under a special appeal process introduced in the country in 1999 (known as the *recurso de amparo* or appeal on the grounds of denial of a person's rights). In a landmark judgement, a judge in Santo Domingo gave a favourable decision on first hearing in December 2002. The decision was appealed by the Junta Central Electoral (JCE – the central electoral committee) and an even more favourable judgement was made by an appeal court in October 2003.

This means that an important precedent has been established. Although the JCE has appealed to the Supreme Court against the judgement, it is difficult to see how their lawyers can convincingly argue that the law has been misapplied given the tightly-argued reasoning in the judgement handed down during appeal. The campaign will focus its energies on ensuring that the judgement is respected and the birth certificates are issued. This legal precedent is an important step forward towards the non-discriminatory application of the Dominican constitution for present and future generations of children of Haitian descent.

Media coverage has also given the issue a national platform. When the network organised a march of 2,000 undocumented children to the Supreme Court in pursuance of their right to Dominican nationality, it was extensively covered on the radio, television and in the newspapers, despite the fact that it coincided with the start of the war on Iraq.

Repatriations and deportations

While the new migration law and the implementation of the constitutional right to nationality are paramount in the network's plans, specific issues are addressed on an *ad hoc* basis as necessary. The humanitarian crisis provoked by the mass deportations ordered by the Balaguer government in mid 1991 has not been repeated. However, there have been two major peaks in expulsions since then: one in November 1999 and the other in March 2000 (International Human Rights Law Clinic, 2002). Following the first peak, specific cases of blatant human rights violations were taken to the Inter-American Court based in Costa Rica. The cases were presented by two expert witnesses from the Dominican Republic backed by international law institutes. The Dominican government was required to take remedial action and report regularly on progress.

Civil society organisations in the country have received international support for their efforts to call the Dominican government to account. In December 1999, an inter-agency letter, spearheaded by Christian Aid and signed by other international NGOs, was sent from the UK to the General Secretariat of the ACP (Africa, Caribbean and Pacific) Group, protesting at the deportations of November 1999. The letter was copied to the Dominican authorities and the UK Foreign and Commonwealth Office.

Partly as a result of this local and international lobbying, the Dominican and Haitian governments signed an agreement in December 1999, laying down minimum ground-rules to be respected when deportations are carried out. This agreement was renewed when president Aristide visited his counterpart in Santo Domingo in early 2002. These minimum standards have been used by the member organisations of the network and by organisations in Haiti to educate migrants (and potential migrants) on their rights. Graphic educational posters have been produced in Spanish and Kreyol.

Countering discrimination from a gender perspective

Migrants assimilate into their host country with less difficulty where there is tolerance of diversity and little racism. An objective of the REDH Jacques Viau is to combat racial discrimination. In the early 1990s in the Dominican Republic there was, on the one hand, a move towards more pride in the country's African roots, and on the other, a link made between gender and racial oppression.

In 1991 Senaida Jansen and Cecilia Millán wrote the first book on gender relations in the bateys (Jansen and Millán, 1991). They noted the role of women in decision-making in the household. They drew attention to the extent to which women were beginning to engage in paid work in the informal sector and shoulder a heavy responsibility for consolidating the survival strategies of batey families. In 1992, 500 years since Columbus encountered the 'New World', the anniversary was celebrated with much fanfare by president Balaguer and his government. However, civil society groups, and particularly women's groups, used the opportunity to challenge assumptions about national identity, questioning the Hispanic bias of the elite and discrimination against black women, as well as advocating for proper weight to be given to the African legacy.

This has been used by the network in its endeavours to counter extreme forms of nationalism and xenophobia. Anti-racist training has been offered to key groups such as teachers and church leaders. The Dominican NGO Oné Respe (the centre for reflection, encounter and solidarity) produced two educational booklets as support material for training sessions, entitled *Prejudice* and *Anti-Haitian Prejudice*. The

organisation Identidad: Casa por la Identidad de las Mujeres Afro (Identity: Home for the identity of Afro women) produced a training manual on women and racism.

Further impetus was given to this line of work following the United Nations conference on combating racism, social discrimination, xenophobia and related forms of intolerance, held in Durban, South Africa, in August 2001. There was a spate of local press coverage when the Dominican authorities took issue with a resource pack produced for the conference by MUDHA (the movement of Dominico-Haitian women). The resource pack had pointed to racism at the highest levels in the Dominican Republic. Clearly achieving attitudinal change is a long haul.

Empowering migrants and local groups on the border

An enabling legal framework and less hostile host society are necessary but not sufficient conditions for significant improvements to be made over the human rights of Haitians and their descendants in the Dominican Republic. Experience from the women's movement in the country, for example, shows that favourable legislation and awareness-raising on gender issues do not guarantee greater respect for women's rights unless women are empowered to use the changed context to their advantage.

The network organisations are therefore seeking to strengthen organisations of migrants and Haitian-Dominicans. In the past there was some limited success with the two major unions of Haitian cane cutters. But initial achievements, for example in successfully eliminating the fraudulent weighing-scales used to calculate the workers' remuneration, have not been followed up. The unions have difficulties because of the gamut of new problems caused by the crisis of the sugar industry and the leasing of the ingenios to private interests. This is in a context of the inherent weaknesses of the union movement in the Dominican Republic.

However, the fact that the bateys are inexorably being drawn into local government and out of the enclave of the state sugar company (CEA) has had some positive results. The Centro Cultural Dominico-Haitiano (CCDH – Dominico-Haitian Cultural Centre) reports that, following the local elections in 2002, in the east of the country some newly elected local councillors are of Haitian descent or have been involved in CCDH training courses. More municipal officials are responding to community organisations in the bateys and to the needs of Haitian immigrants and Haitian-Dominicans.

The cross-border network

Traditionally, Haitians and Dominicans who live on either side of the border have co-habited peacefully, left to their own devices by distant capitals that largely ignored the needs of cross-border communities. Although these

communities are not composed of migrants – they might better be described as ‘cross-border workers’ – they are witnesses to what happens in the area.

In June 2001 local human rights committees on both sides of the border coalesced in a network, known as the Jano Siksè network for the defence of human rights, which is supported by NGOs working in Haiti and the Dominican Republic and by international organisations such as Christian Aid and Catholic Relief Services. The objectives are threefold. Firstly, they are well placed to give humanitarian aid to the victims of human rights abuse, notably when deportees arrive in wretched circumstances. Secondly, they bear witness to incidents affecting migrants and small-scale traders. Finally, on the basis of their monitoring of human rights, they make representations to local civil and military authorities. They believe that new projects designed to develop the border area must have a human rights component, and they participate in development plans for the region.

In the past, systematic human rights reporting on Haitian migrants has often come from international organisations on short term missions to the country. The Jano Siksè network shows that such reporting can be carried out locally on a long term basis, allowing immediate action to be taken. Some information produced by the cross-border network in early 2003 (taken from the three monthly report for January-March 2003 produced by GARR, the support group for Haitian refugees and deportees), includes:

- Between 1-10 January 2003, in the north-east of Haiti, especially in Ouanaminthe (north-east) and at Tilorì (Cerca-La-Source, in the Central Plain), more than 3,000 people, including children, were expelled or driven back to Haiti. The majority had been held in prison before being taken to the border. Some, including babies, arrived dehydrated and in a pitiful state.
- On 3 February 2003, 50 people were expelled from the Dominican Republic at the border post Miguel (Savanette, Central Plain). The majority of those who were deported had been in the Dominican Republic for more than five years. Among the deportees were several children, a 65-year-old person who had lived in the Dominican Republic for 40 years, and two others who had been resident for more than 18 years. They were unable to bring with them any of their belongings and have lost all that they possessed.
- On 5 March 2003, after the Dominican military invaded the market in Neyba in the south of the Dominican Republic, some 300 dark-skinned people were arrested. Most of them were second or third generation descendants of Haitian migrants who had never visited let alone lived in Haiti. They were taken to the fortress in Neyba. Most of them were subsequently released, when their identity cards were produced by anxious relatives. Among those arrested, 40 people were expelled across the Jimaní/Malpasse border point on

the pretext that they were Haitian nationals. In the melee in the Neyba market all those who were arrested were dispossessed of the goods that they were trading at the time.

The local human rights activists that comprise the bi-national Jano Siksè network know that they are not alone in their struggle for a more just and less discriminatory society. In the regional context, including Mexico and Central America, some of the most egregious violations of migrants' rights occur around the verification of a person's migration status, detention, deportation, and reception following deportation. Civil society organisations across the region, including in the Dominican Republic, have worked hard to identify good practice guidelines to be negotiated with authorities around these issues. The border network, through a national forum for migration based in Santo Domingo, participates in and is encouraged by this broader human rights movement.

Smuggling and trafficking of people

Civil society organisations welcome the fact that in August 2003 the Dominican government approved new legislation on people trafficking (*trata*).¹⁶ Since 2000, in the Americas, the only other countries to have introduced modern legislation on this crime are the United States and Colombia. The Dominican Republic is mainly concerned with the treatment of its nationals, especially vulnerable women and children, in the intra-regional and extra-regional context. However, the legislation might be applicable to some cross-border crimes committed on the Haitian-Dominican border – although there are question marks over the government's capacity and willingness to enforce the law.

Symptomatic of the latter concern about the government's commitment to these issues is the Guayubín case in which six Haitians and one Dominican were killed in June 2000 when a people-smuggling (*tráfico*) operation ended in tragedy. Soldiers from the Dominican army's department of border intelligence, who are accused of shooting indiscriminately at passengers travelling from the northern border, have yet to be tried. The case has been mired in bureaucracy in a military tribunal since the shooting occurred. All those who died were under 30 years of age. The patrol that shot them was fully aware that the truck travelling between Dajabón and Santiago was full of Haitian nationals.

¹⁶ The UN protocol to prevent, suppress and punish trafficking in persons, especially women and children, was adopted in December 2000. The protocol supplies for the first time an international legal definition of trafficking (or *trata* in Spanish) that essentially identifies it as involving some form of exploitation. By contrast, the illegal smuggling of migrants (or *tráfico* in Spanish) is the transporting of a person (with their consent) to another country using unauthorised means.

After having fired at the truck's tyres, causing the driver to lose control of the truck which then careered into a ditch, the patrol shot to kill those who had been thrown to the ground.

REDH Jacques Viau organisations are calling for the case to be taken out of military jurisdiction and submitted for trial in a criminal court. International organisations and concerned civil society organisations in Haiti have protested at the impunity enjoyed by the soldiers charged with perpetrating the massacre.

Natural disasters

A test of the network's ability to act collectively at times of natural disaster was Hurricane Georges, which hit the region in September 1998. This was the worst hurricane that the Dominican Republic had experienced in two decades. The most vulnerable communities were the ones hardest hit and the bateys were no exception. In record time a group of five organisations working in the bateys was mobilised and an emergency programme was implemented. Solidarity brigades from other network organisations supported reconstruction efforts. Good coordination took place between the local organisations and UK support agencies, namely ActionAid, Christian Aid (with the eventual backing of official UK aid through the Department for International Development) and CIIR/ICD.

The emergency aid programme comprised food aid, house re-building, preventive health work and start-up funding for economic projects, as well as hurricane-proof community shelters as a disaster mitigation measure for the future.

Communications

The flagship publication of the network, a monthly electronic bulletin, has been on the Internet for five years and is read nationally and internationally.

An innovation begun in 2002 is a twice-weekly radio programme run by the network in Spanish and Kreyol. It is mainly for the Dominican Republic although it is also heard in some parts of Haiti. The objective is to keep the immigrant community abreast of current affairs. The programme transmits important messages and gathers opinion (through the interactive parts of the programme) on questions pertinent to the activities of the network. Obtaining this airspace has been no mean achievement. Some two years earlier the Dominican authorities had closed down a radio station in Santo Domingo that tried to broadcast in Kreyol. This myopia towards diversity is ironic in a country where there are many bilingual schools (especially Spanish-English) and where cable television is widely available.

Challenges for the future

Some of the principal challenges facing civil society organisations that campaign in defence of the rights of Haitian migrants and their descendants, such as the REDH Jacques Viau and other like-minded groups, are the following:

- How to promote understanding of Haitian migration within a wider perspective of the Dominican Republic as a receiving country, a sending country, and a transit country for migrants.
- How to secure effective positioning on matters concerning the rights of Haitian migrants, given the different interest groups involved in campaigning: Dominicans, Haitian-Dominicans, Haitians, women's groups, church groups, etc.
- If a migration law is passed in the Dominican Republic that protects migrants' rights, how to ensure that it is implemented in practice, and how to ensure that transitional arrangements are made which would regularise the status of people who entered the Dominican Republic prior to the passing of the law.
- Once there is regularisation of the status of many of the migrants and their descendants, how to empower migrants' groups to defend their own rights, overcoming the many years of fear that their unauthorised status has engendered.
- How to be pro-active on themes requiring special attention for the future such as temporary migrant workers who could be subject to more difficult circumstances, if a new migration bill is approved and the status of undocumented long term residents is regularised.
- How to develop more complementary strategies between local civil society and international civil society working on the issues (how to achieve better synergy).
- Building on work done with allies in Haiti, how to better analyse the migration phenomenon and respond more effectively to challenges posed in working towards more harmonious Dominico-Haitian relations.
- How to influence public opinion, attacking the myths surrounding *los haitianos* by use of the mass media.
- How to ensure that *los haitianos* are not scapegoated again, as they have been in the past, in the context of the economic crisis that hit the Dominican Republic in 2003.
- How to achieve clearer analysis and better focus on vulnerable groups with particular needs, such as children and women migrants.
- How to develop debate and understanding of 'multiple identities' and people's rights to define their identities in a global world.



Conclusion

AS FAR AS WE KNOW there is no monument, plaque, museum gallery, or government commemoration of any kind that pays tribute to the hundreds of thousands of Haitian labourers who played a vital part in creating and sustaining the sugar industry, the backbone of the Dominican Republic's wealth for 70 years. Nor is there more than passing recognition of the workers who built the motorways, public buildings, dams, irrigation channels, and tourist complexes of today, and who sustain the profitability of agriculture as the sector faces the challenge of adjustment to the global economy. There is no degree course or institute of Haitian studies, even at the national university which has a high reputation for independent and progressive scholarship and teaching.

There is instead a blockage in the Dominican psyche where Haiti and Haitians are concerned. This is a gross generalisation, and attitudes vary, but ignorance and prejudice are surprisingly widespread, especially among the upper class or 'oligarchy' and the institutions of the traditional establishment including the judiciary and the legal profession, the armed forces and the police, the hierarchy of the Catholic church, and the mass media. In part this has to do with the fear and insecurity of those who, knowing that they are the beneficiaries of cheap and compliant manual labour, are concerned that this dependence will ultimately undermine their privileges.

The fear is often expressed in apocalyptic terms. Haiti, it is believed, is a 'basket case', an unviable society whose state and economy are on the verge of collapse. Millions will swarm across the border, drowning the country in a flood of poor and sick Haitians. With the fear of the apocalypse comes conspiracy theory, notably the belief that there is a plot of foreign governments and NGOs to unify the island and make the Dominican Republic the principal source of a solution to Haitian poverty. All this is of course nonsense, but it is widely believed and is entrenched in attitudes that prove resistant to change.

However, as this study has shown, there have been significant changes. The legacy of Trujillo is no longer the dark shadow that it was as recently as the early 1990s. Anti-Haitianism and xenophobia are less virulent and influential. Historical tensions between Haiti and the Dominican Republic have given way to years of good relations and cooperation on cross-border matters, and it is to the credit of both countries that these have been sustained during a protracted period of political crisis in Haiti.

Slowly a better understanding is developing of the complex and changing nature of Haitian migration and the ways in which Haitian-Dominicans are assimilating into Dominican society. For the first time the questions of migration law reform and the right to nationality have begun to be seriously addressed. Human rights violations have been

reduced, at least to some extent. The human rights movement has become stronger, more focused, more confident and more successful. There is even a radio station broadcasting in Kreyol and Spanish to a wide audience.

This said, political reform in the Dominican Republic is an extremely complex and slow process, and there could be setbacks if the Dominican political and economic crisis of 2003 deepens and endures. Reformers still face a long and difficult battle.

We would not call the Dominican Republic a racist country. There are those who would disagree, and the issue probably comes down to what you are comparing the country with. Which yardstick should be used to measure the extent of racism in a country like the Dominican Republic? Clearly if one's frame of reference is the standards set by race relations laws and equal opportunities policies in the United States and Europe, the country falls a long way short. But we would probably want to differentiate between discrimination and racism, while acknowledging that the distinction is one of degree rather than kind. There exists in the country, as we have seen, widespread ignorance, prejudice, and discrimination, but racism as an ideology is found in relatively small pockets of the population. In one such pocket are the Nationalists, who deny that they are racists but whose ideology is unmistakably racist according to any accepted meaning of the term. They need to be aggressively rooted out and a wedge driven between them and their prejudiced but not necessarily racist contacts in the political and social establishment.

Moreover, we have remarked that the country does not have the problem of poor race relations leading to inter-communal violence as is experienced in Europe and the United States. Nor is there in the Dominican Republic any anti-immigrant political party with grassroots support comparable to those which exist in many European countries. Still less are there comparisons to be made with the racial divides in South Africa and Guatemala and elsewhere. These are other measures; and as we apply them we are likely to judge the country less harshly.

This study has attempted to show how discrimination against Haitians is closely linked to class, race (directed against black Dominicans), and gender discrimination, in a highly unequal society in which a large proportion of the population exists at the 'informal' limits of the economy and is barely reached by the state and the political system. To focus only on discrimination against Haitians is to address only a part of the wider problem of inequality and injustice. The fact that poor and working class Dominicans often make common cause with Haitians and Haitian-Dominicans offers hope for the future.



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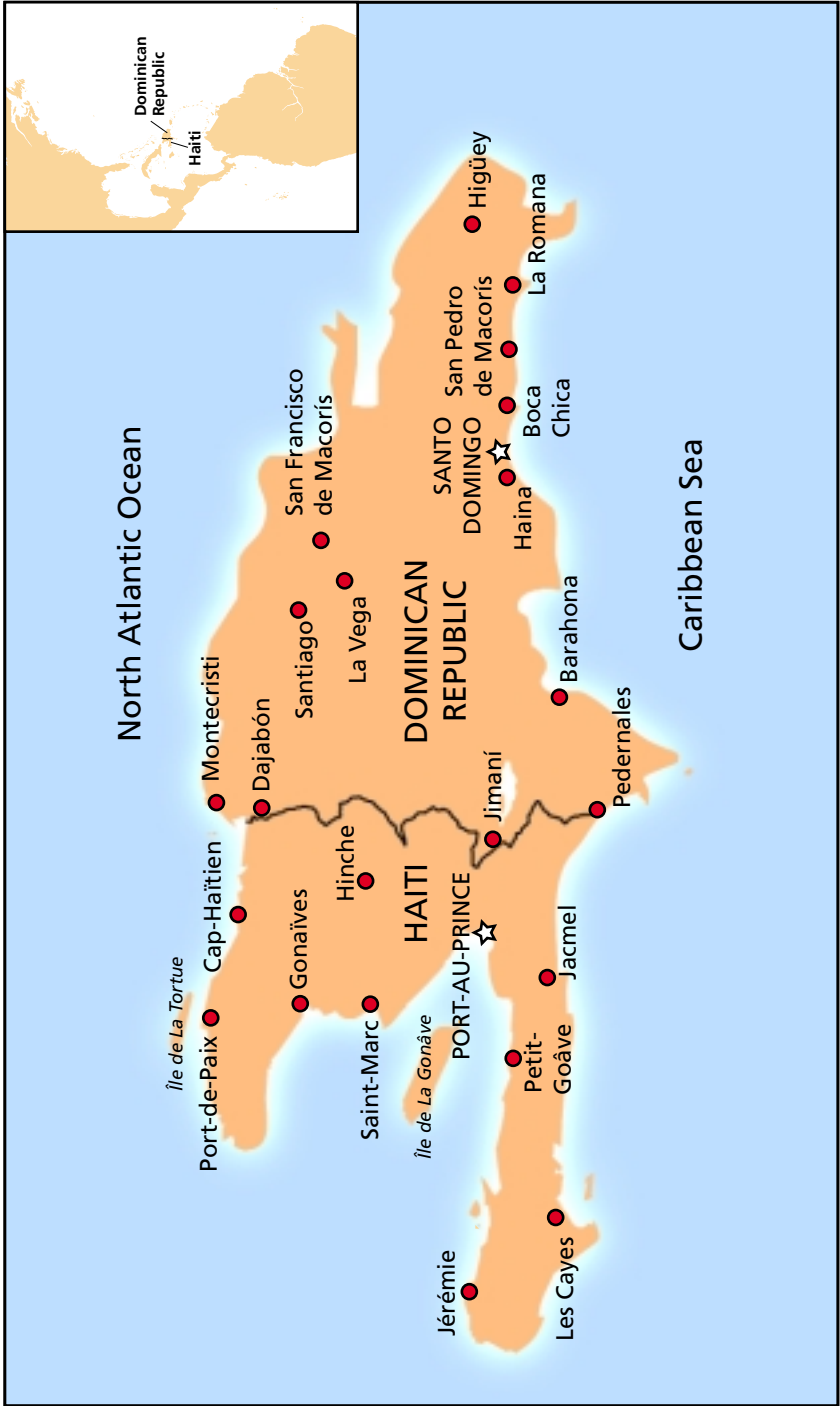
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Over the last century, many thousands of Haitians have settled in the Dominican Republic – yet still today they face systematic discrimination by the Dominican state and society. This CIIR briefing examines the origins and changing nature of Haitian immigration, and describes the efforts being made to establish and protect the rights of Haitians and Haitian-Dominicans in the Dominican Republic. It is a fascinating story, superbly told by authors who have worked in the field of social development, migration and human rights in the Dominican Republic for many years.



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