

Report from the Center for

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Persecution vs Poverty: Are the Haitians Refugees?

To make its research easily available to a broad audience, the Center for Philosophy and Public Policy publishes a quarterly newsletter: *QQ—Report from the Center for Philosophy and Public Policy*. Named after the abbreviation for “questions,” *QQ* summarizes and supplements Center books and working papers and features other selected work on public policy questions. Articles in *QQ* are intended to advance philosophically informed debate on current policy choices; the views presented are not necessarily those of the Center or its sponsors.

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Two Caribbean islands with allegedly repressive regimes; two mass emigrations to the allegedly friendlier shores of the United States. Yet the vast majority of those fleeing Castro's Cuba have been peacefully and successfully settled in their new land, while those fleeing Duvalier's Haiti are intercepted at sea or incarcerated by the thousands in massive detainment camps. Of the 125,000 Cubans who emigrated during the “Freedom Flotilla” of 1980, an estimated 98 percent have been admitted to legal resident status in a relatively quiet and orderly fashion. Yet the Immigration and Naturalization Service has launched a campaign to turn back Haitian vessels enroute to Florida and forcibly send away Haitians whose tiny boats survive the 600 miles of open sea. A grudging welcome is extended to the one group but denied to the other. The official reason: the Cubans, but not the Haitians, are recognized as *refugees*.

Who counts as a refugee? The most widely ratified official definition is given by the 1951 Convention Relating to the Status of Refugees: a refugee is one who “owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion” is unable or unwilling (because of such well-founded fear) to return to his country of nationality, or, if he has no nationality, to his country of habitual residence.

On the Convention definition, flight from persecution is the only recognized basis of refugee status. This definition has been incorporated into American law with the passage of the Refugee Act of 1980, which also defines refugees as victims of political persecution. The definition was somewhat broadened by the Organization of African Unity's 1969 Convention on Refugees,