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Dominican Republic border wall: Concrete symbol of centuries-long anti-Haitian ideology

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Abstract: *This article examines ongoing challenges of racism and discrimination through the lens of the long troubling history of xenophobic persecution of Haitians by the neighbouring Dominican Republic. It analyses the latter's prejudicial two-tier migration policy toward Haitians; on one hand, ostensibly excluding them, on the other, admitting those it requires for cheap unregulated labour in sectors such as construction and agriculture but denying them and their descendants rights and citizenship. In particular, it focuses on current Dominican President Luis Abinader's mammoth construction of a heavily fortified boundary wall stretching the entire length of the border with Haiti – a powerful emblem of the "othering" of Haitians as dangerous Black pagan usurpers of African origin while fostering the perception of "legitimate" Dominicans as white Catholic Hispanics. Setting this amid the worldwide context of the relationship between unequal distribution of wealth and a global hierarchy of migration based on race, the article calls on human rights activists inside and outside the Dominican Republic to stand together and renew efforts to dismantle the structural racism upon Haitians.*

Keywords: *Haiti; Dominican Republic; border regime; deportation; global apartheid; migrant rights*

1. Border construction latest move in history of racism

The waters of the Massacre River flow through the city of Dajabón, dividing the northwestern part of the island of Hispaniola into two countries: Haiti and the Dominican Republic. There, in 1937, the Dominican dictator Leonidas Trujillo initiated a process of ethnic cleansing known as the "Dominicanisation of the border", murdering 15,000-20,000 Haitians accused of invading the country. What became notorious as the "Parsley Massacre" got its name from the actions of the Dominican officials, who

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asked Haitian migrants to pronounce the Spanish word for parsley – *perejil*: those unable to pronounce the word as Spanish speakers do because of their French accent were killed. On that same site, 85 years later, in February 2022, president-elect Luis Abinader began construction of a giant beam and concrete structure, underlining his actions last June by calling Haitian migration a “national security problem” and pledging to “control the border” (Rostowska and Adams 2022). Abinader euphemistically refers to the construction as a “perimeter fence” but everyone has been saying for months that what is being built is a border wall.

The first part of this four-metre-high, 20cm-wide barrier stretches 54 km along the northern part of the island and will have 19 watchtowers, due for completion in 2023. The second phase of construction will cover another 110km of the border, which is 390 km in total and divides the island in two from north to south. Abinader has said that it will serve to “control bilateral trade and deal with drug trafficking”, but the truth is that this wall is the latest step in a history marked by inequality and violation of the rights of those who have migrated from different parts of Haiti to the Dominican Republic for generations.

The reality of the two countries could not be more different. According to World Bank data (2020) six out of 10 people in Haiti are poor and one in four lives in extreme poverty. Years of political and economic crisis have worsened the situation, the assassination of President Jovenel Moïse in 2021 triggering the latest slump. In contrast, the Dominican Republic ranks amongst the region’s fastest-growing economies in recent times. There, one in four people are classified as poor but just three in 100 are indigent. For 2022, the Economic Commission for Latin America and the Caribbean (ECLAC 2022) projected 5.3 percent growth for the country, while the average for the Latin American and Caribbean region is estimated at 1.8 per cent.

Today, the Dominican Republic is home to 10.5m inhabitants, 500,000 of whom are Haitians. These immigrants, who constitute 87 percent of the country’s foreign population, suffer as a result of policies that make it difficult for them to obtain official documentation and regular jobs. Moreover, criminalisation of this population goes hand in hand with the needs of a job market that requires cheap labour without giving workers rights in sectors such as construction and agriculture, where three in 10 workers are Haitians (Cruz and Hernández 2020). Access to employment is limited and controlled by xenophobia and racism.

2. Dominican immigration policy – exploitation and exclusion

Anti-Haitian racism (Curiel Pichardo 2021) in the Dominican Republic has a long history. We must go back centuries to the French, Spanish and United States’ imperial occupations to understand the narrative of forced movement and establishment of a permanent border between Haiti and

the Dominican Republic. Since the 16th century, the eastern part of the island, under Spanish rule, was dependent on the supply of food and raw materials from the French-ruled plantations in the west as France began to dominate the new global economy in the 17th century based on the exploitation of slaves (Dilla Alfonso and Carmona 2010).

Although both countries gained independence in the 19th century, both were under US military occupation in the early years of the 20th century. During the Dominican occupation, 1916-24, the country's sugar industry was developed, using Haitian migrant workers (Dilla Alfonso 2004; Muñiz and Morel 2019). Thus, the Dominican Republic became a key global sugar producer and exporter, with Haiti supplying the labour for Dominican and Cuban plantations. This significantly shaped the border on both sides of the island with impact which has endured until the present day. Two aspects are worth noting: the ease of migration to the Dominican Republic for those of European descent and the ongoing exploitation of Haitian migrant labour (Llavaneras Blanco 2022).

In later years, Leonidas Trujillo was central to the border regime. Established in 1930, his dictatorship has left an indelible mark on the Dominican Republic. Over the course of three decades, he consolidated a staunch anti-Haitian national ideology through policies and milestones like the aforementioned Parsley Massacre, after which the border was hermetically sealed, the social interaction and exchange that had previously existed between communities on both sides destroyed.

This did not mean that the Haitian presence in the Dominican Republic was erased; rather, it was restricted to the sugar mills, the only legal places where Haitians could reside and work. In 1939, the government enacted Immigration Law 95/39, which classified the status of foreigners according to the permit with which they entered the country. This meant that Haitian temporary workers were only admitted into Dominican territory upon request of the agribusiness sector; those entering without documents and permits were committing a crime. Such provisions created a situation of material and legal dependence on their employers; *de facto* slavery (Muñiz and Morel 2019).

Joaquín Balaguer, Trujillo's successor, who governed the country during three separate periods in office from the 1960s to the 1990s, expanded this policy: in addition to isolating Haitians in the sugar cane plantations, he sought to prevent Haitian descendants from entering the national territory. In the decades following Trujillo, the rulers of the Dominican Republic maintained a strong anti-Haitian stance: on the one hand, positioning the Dominican community, self-perceived as Hispanic, Catholic and white; on the other, its Haitian neighbours, perceived as Black pagans of African descent, the great national enemy (Dilla Alfonso 2019). Yet this racist narrative was accompanied by the need for Haitian labour to maintain the sugar industry (Hintzen 2014). Thus, migration policy became increasingly

contradictory: while the regulations became progressively more restrictive and discriminatory against the Haitian population, at the same time, their recruitment was promoted (Muñiz and Morel 2019).

At the end of the 20th century, the Dominican state tried different approaches toward its Haitian population. During the 1990s, Decree No. 417, on regularisation of Haitian nationals in the Dominican Republic, and Decree No. 233, on repatriation of minors and foreign workers, were issued. In 2004, the institutionalisation of this structural racism took another turn with the enactment of a new migration law, regulated in 2011. This law meant sugar workers were once again considered non-residents and temporary workers. In 2007, the Central Electoral Board initiated an arbitrary process of suspending the birth certificates of Dominicans of Haitian immigrant descent, claiming they were fraudulently obtained documents. The Supreme Court intensified this approach by ruling that Haitians in an irregular situation should be considered “transit passengers”, regardless of the number of years they had been in the country, therefore their children would be barred from accessing citizenship by birth (Muñiz and Morel 2019). This ruling led to several lawsuits against the Dominican state by human rights organisations; some even reached the Inter-American Court of Human Rights, such as the case of the *Girls Yean and Bosico v. Dominican Republic*. In this case, the Dominican state refused to issue birth certificates to Dilcia Oliven Yean and Violeta Bosico, who were born in its territory to Haitian parents. Yean and Bosico were denied nationality and classified as illegal immigrants and thus in a socially vulnerable situation. The Court found that the state violated the American Convention on Human Rights.

Three years later, in 2010, the new Constitution again restricted the principle of *ius soli* (citizenship by country of birth) by not considering the children of foreigners in an irregular situation as Dominicans. That same year, an earthquake in Haiti triggered an unprecedented humanitarian crisis, which continues to this day, and led to the exodus of a population that could not be protected by its own state (González Valdez 2021). In 2013, tensions caused by Dominican policies reached boiling point: Through judgement 168/13, the Constitutional Court denationalised more than 200,000 people born in the Dominican Republic of Haitian ancestry who could not prove the regularity of their parents’ immigration status (UNHCR 2014). Such drastic action raised numerous alarms, including a report by the Inter-American Commission on Human Rights (IACHR), which visited the island in December 2013 (IACHR 2015). Despite various attempts at political reaction, such as a regularisation plan in 2013 and the 169 naturalisation law in 2014, the effects of this machine of criminalisation and production of irregularity continue today. In the 2019 annual report, the IACHR noted that six years after the enactment, “the obstacles faced by the affected population persist” (IACHR 2019, 799). Finally, deportations multiplied in 2022: the Dominican Republic deported an estimated 60,000 Haitians and people of Haitian ancestry only between August and October.

3. Global apartheid – mobility for the privileged

The current situation described in the Dominican Republic is a far from isolated case if we look through the broader lens of global apartheid (Richmond 1994; Sharma 2005; Spener 2008). This concept describes the unequal distribution of resources and welfare, its relationship to race and nationality, and denotes the existence of a system that celebrates the mobility of capital and certain privileged groups, while the movement of others is increasingly curtailed. These controls give shape to differential legal rules which divide the national space in two: one for “citizens” who are “permanent residents”, and another much more restrictive one for those characterised as “illegal”, in that they are denied lawful permanence in their country of residence. This discrimination is part of an overall regime in which exclusion and criminalisation of one group is not only accepted but seen as necessary. Control over the mobility of impoverished residents and the labour force of non-white populations to which this notion refers well illustrates the process that has been going on for decades on the eastern side of Hispaniola.

Similarly, the concept of “border regime” (Domenech and Dias 2020) helps describe the Dominican Republic-Haiti border as a space of conflict, negotiation and contestation between diverse actors who dispute the political definition of migration and the border. Thus, we can view this demarcation as an active process governing the mobility of both people and capital (De Genova 2002). For Dilla Alfonso (2020), the regime can be characterised as a “protective trench”, in which border institutions have aimed over time to reinforce nationalist sentiment and foster a regime hostile to cross-border relations.

Analysing how the political order has been territorialised in the Dominican Republic through its borders, Llaneranas Blanco (2022) employs the concept of “obscene inclusion” coined by De Genova (2013), which refers to the clandestine, discretionary and temporary incorporation into the national order of those migrants who do not conform to the criteria of national regulations. In this case, the incorporation over the decades of Haitians and Dominicans of Haitian descent has occurred through a system of subordination and legal precariousness fostered by the Dominican state. This precariousness also enables exploitation outside a framework of human rights protection.

The Dominican Republic has not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW), the Convention relating to the Status of Stateless Persons, nor the Convention on the Reduction of Statelessness, nor has it endorsed the Global Refugee Pact for Safe, Orderly and Regular Migration (2018), nor the Global Compact on Refugees (2018). Hence, in October 2022, Abinader announced that he had allocated six helicopters, 10 reconnaissance and surveillance planes and 21 armoured vehicles to

patrol the wall for “the defence of the country”. Identification of the border wall with national security, as Brown (2010) points out when describing a phenomenon present in different parts of the planet, is tied to multiple rhetorics: the construction of a dangerous barbaric other – the binary opposite of civilisation – and the idea of containment of this other within the territorial limits of the country, drawing on the fantasy of impermeability. However, as the same author states, “even the most physically intimidating of these new walls serves to regulate, rather than exclude, legal and illegal migrant labour”, producing a zone of indistinction “between the law and the lawlessness that flexible production requires” (Brown 2008, 16-17).

The Dominican wall spectacularises a rhetoric of exclusion, but at the same time it stands as a filter that selects and controls selected individuals (Mezzadra and Neilson 2016). Yet the wall’s construction is part of a long process of discretionary and hierarchical inclusion that has developed in tandem with exclusion. There were 250,000 deportations of Haitian nationals 2017-22 (OHCHR 2022), while in 2011 alone more than 44,000 Haitian migrants were deported, including hundreds of pregnant women and mothers who had given birth in the Dominican Republic. In addition to this, in September 2021, a resolution banned foreign women who were more than six months pregnant from entering the country. Both scenarios should be considered together with the systematic violation of Haitians’ labour and social security rights: withholding or lack of payment, excessive working hours, absence of vacation and other benefits.

4. Renewed efforts necessary to dismantle structural racism

The report of the United Nations Office of the High Commissioner for Human Rights for the last Universal Periodic Review of the Dominican Republic (UNHCR 2018) highlighted concerns about the “vulnerability of Haitian migrants and the violence and aggressions of which they were victims”. Meanwhile, the Human Rights Committee sounded the alarm regarding “the high number of deportations of persons of Haitian origin, as well as reports of massive and arbitrary deportations and expulsions without procedural guarantees, including refoulement at the border”. The concern of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights regarding “systematic and persistent racial discrimination against Haitians and people of Haitian descent” was also made explicit. The Committee on Economic, Social and Cultural Rights “urged the Dominican Republic to adopt all necessary legislative and administrative measures to combat all forms of discrimination against these persons”. In November 2022, the High Commissioner for Human Rights Volker Turk also spoke out on the matter, calling for a halt to deportations to Haiti, as well as greater efforts by the Dominican government “to prevent xenophobia, discrimination and related intolerance based on national, racial or ethnic origin, or immigration status”.

It is worth mentioning initiatives of various organisations in the Dominican Republic which provide legal advice and support to migrants, including those of Haitian descent, as well as information and awareness campaigns and civil society initiatives to develop joint proposals on the issue of migration and nationality (UNHCR 2020). However, the High Commissioner's report also noted "hostility and harassment" towards human rights defenders fighting for the rights of Haitian migrants and Dominicans of Haitian descent and denouncing the exploitation and trafficking of children (UNHCR 2018). Consequently, in order to understand why the wall is being constructed, it is necessary to review and work together to combat the discrimination and structural racism present in the Dominican Republic for people of Haitian nationality or ancestry.

References

- Llavaneras Blanco, Masaya. 2022. "Intimate bordering: Intimacy, anti-blackness and gender violence in the making of the Dominican border." *Political Geography* 99. [Link](#) (last visited 8 October 2022)
- Brown, Wendy. 2008. "Porous sovereignty, walled democracy." *Katz Distinguished Lecture in the Humanities*. April 22, 2008. [Link](#) (last visited 25 September 2022)
- Brown, Wendy. 2010. "Desiring Walls." In *Walled States, Waning Sovereignty*: 119–146. Princeton: Princeton University Press. [Link](#) (last visited 25 September 2022)
- Cruz, Antonio, and Carlos Hernández. 2020. "Estimation of the demand for foreign workers in the construction and agricultural sectors in the Dominican Republic." Dominican Republic: Santo Domingo: International Organisation for Migration. [Link](#) (last visited 28 October 2022)
- Curiel, Pichardo, and Rosa Inés. 2021. "The denationalisation of the Dominican-Haitian population: an analysis of the race, class and national origin oppression matrix." *Anos* 90(28): 1-12. [Link](#) (last visited 28 October 2022)
- De Genova, Nicholas. 2002. "Migrant "illegality" and deportability in everyday life." *Annual Review of Anthropology* 31(1): 419-447. [Link](#) (last visited 28 October 2022)
- Dilla Alfonso, Haroldo. 2004. "Dominican Republic and Haiti: Among the alleged danger and the tangible benefit." *New Society* 192: 23-33. [Link](#) (last visited 28 October 2022)
- Dilla Alfonso, Haroldo. 2019. "Dominican Republic: when xenophobia is institutionalized." *New Society* 284: 94-104. [Link](#) (last visited 28 October 2022)
- Dilla Alfonso, Haroldo. (2020). "The borders, the walls and the holes." *Nueva Sociedad* 289: 37-48. [Link](#) (last visited 28 October 2022)
- Dilla Alfonso, Haroldo, and Carmona Clarisa. 2010. "Notes for the history of the Dominican-Haitian border." In *The Dominican-Haitian Border*, edited by Haroldo Dilla Alfonso and Clarisa Carmona: 33-74. Santo Domingo, Dominican Republic: Inter-American Development Bank.

- Domenech, Eduardo, and Gustavo Dias. 2020. "Border regime and migrant "illegality" in Latin America and The Caribbean." *Sociologies* 22(55): 40-73. [Link](#) (last visited 25 October 2022)
- ELAC (Economic Commission for Latin America and the Caribbean). 2022. "Economic Slowdown Deepens in Latin America and the Caribbean: Average Regional Growth of 1.8% Expected in 2022." April 27, 2022. [Link](#) (last visited 28 October 2022)
- González Valdés, Micaela. 2021. "The Dominican anti-Haitianism between modernity and the 168/13 Sentence: an approach to the historical roots of the Haitian Dominican conflict." *Journal of the Intercatedras Network of History of Contemporary Latin America* 6: 81–98. [Link](#) (last visited 28 October 2022)
- Hintzen, Amelia. 2014. "Foreigners in transit: the historical evolution of the immigration policies in Dominican Republic." In *Dominican Republic and Haiti: the right to live*, edited by Irene Hernández: 213-231. Santo Domingo, Dominican Republic: Juan Bosch Foundation. [Link](#) (last visited 28 October 2022)
- IACHR. 2015. "Informe sobre la situación de los derechos humanos en la República Dominicana." OEA/Ser.L/V/II. Doc. 45/15. December 31, 2015. [Link](#) (last visited 8 December 2022)
- IACHR. 2019. "Informe Anual 2019." [Link](#) (last visited 8 December 2022)
- Muñiz, Anselmo, and Carlos Morel. 2019. "Illegality as order. Hegemony and migration policies in Dominican Republic." *If We Are Americans* 19(2): 27-48. [Link](#) (last visited 8 December 2022)
- Richmond, Anthony, and Kathleen Valtonen. 1994. "Global apartheid: Refugees, racism, and the new world order." *Refuge: Canada's Journal on Refugees* 14(6): 25-28. [Link](#) (last visited 10 November 2022)
- Sharma, Nandita. 2005. "Anti-trafficking rhetoric and the making of a global apartheid." *NWSA Journal* 17(3): 88-111. [Link](#) (last visited 10 November 2022)
- Spener, David. 2008. "Global apartheid, coyotaje and the clandestine migration discourse: Distinctions between personal, structural and cultural violence." *Migration and Development* 10: 127-156. [Link](#) (last visited 10 November 2022)
- Rostowska, Maya, and Michael Adams. 2022. "The Dominican Republic Is Building a Wall to Keep Haitian Migrant Kids Out." *Vice World News*, June 25, 2022. [Link](#) (last visited 8 December 2022)
- UNHCR (United Nations High Commissioner for Refugees). 2014. Table 7. Persons under UNHCR's statelessness mandate, 2014. [Link](#) (last visited 8 December 2022)
- UNHCR (United Nations High Commissioner for Refugees). 2020. "Regional study about late registration of births, granting of documents and statelessness". [Link](#) (last visited 8 December 2022)
- UNHCR (United Nations High Commissioner for Refugees). 2018. "Compilation on the Dominican Republic: [Universal Periodic Review]: report of the Office of the United Nations High Commissioner for Human Rights". A/HRC/WG.6/32/DOM/2. [Link](#) (last visited 8 December 2022)
- UNHCR (United Nations High Commissioner for Refugees). 2022. "Report of the Special Rapporteur on the Human Rights of Migrants." A/HRC/50/31. [Link](#) (last visited 8 December 2022)
- World Bank. 2020. "Haiti: Providing opportunities for all Haitians." January 8, 2020. [Link](#) (last visited 8 December 2022)