

## **Haitians' return upheld / Court says U.S. can turn back boats**

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### **Body**

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The administration policy of intercepting Haitian refugees on the high seas and returning them to their island homeland was upheld Monday by the Supreme Court.

The 8-1 ruling affirms a policy initiated by President Bush and adopted by President Clinton, even though during the 1992 campaign Clinton called it "cruel and unjust."

Haitian and refugee advocates reacted angrily and plan to protest today in Miami.

"This is a sad day for every one of us whose ancestors first came here by boat," said Harold Koh, who represented refugees before the court.

"It's a shameful . . . racist policy - analogous to returning Jews to Nazi Europe," said Steve Forester of Miami's Haitian Refugee Center.

Associate Attorney General Webster Hubbell applauded the ruling, and said the administration would give Haitians "meaningful opportunity" to seek asylum by applying at the U.S. consulate in the Haitian capital of Port-au-Prince.

President Reagan first allowed Haitian boats to be intercepted in 1981, but the would-be immigrants were screened.

After the overthrow of Haitian President Jean-Bertrand Aristide in September 1991, nearly 40,000 Haitians tried to escape, many in unsafe boats.

President Bush stemmed the tide with a policy - announced in May 1992 - that turned back boats without reviewing individual cases.

Clinton's criticism of the policy gave Haitians hope, but as president he continued it to avoid a new wave of refugees.

The high court took note of the "human crisis" involved, but said neither laws nor treaties limited the president's power to repatriate the aliens.

Neither treaty or immigration law "places any limit on the president's authority to repatriate aliens interdicted beyond the territorial seas," wrote Justice John Paul Stevens for the majority.

Justice Harry Blackmun dissented angrily:

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"What is extraordinary in this case is that the (president), in disregard of the law, would take to the high seas to intercept fleeing refugees and force them **back** to their prosecutors - and that the **court** would strain to sanction that conduct."

## Classification

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