



## Commission for a Free Cuba Sets Restrictions on Americans

By Wayne S. Smith and Seema Patel

*On May 20<sup>th</sup>, 2004, the Center for International Policy hosted a conference to discuss the revamped Cuba policy announced by President Bush on May 6, the result of 500 pages of recommendations presented to him by the Commission for Assistance to a Free Cuba he had appointed in January. The conclusions of the panelists were: 1) That the new economic measures taken against the Cuban government might result in some reduction in its revenues, but would have little if any impact in terms of bringing it to an end; indeed, they would hurt Cuban families far more than the government. 2) That the proposed increase in aid to the dissidents would accomplish nothing in the context of regime change. It would, however, place the dissidents themselves in a most precarious position. Not surprisingly, then, most of the latter have said they want nothing to do with the new measures. 3) That the Bush administration's efforts to have other Latin American states join its efforts against Cuba will fall flat. 4) That the proposal to have military aircraft transmit TV and Radio Marti would be expensive, of dubious legality and not likely to have much effect. 5) That the majority in the Cuban-American community, whose votes the measures are supposed to assure, see them as harmful and insensitive to the importance of the Cuban family. A backlash is developing which could help Senator Kerry win Florida.*

### THE ISSUE

The Bush administration's objective in Cuba is regime change. As Assistant Secretary of State Roger Noriega put it before the Senate Foreign Relations Committee on October 2<sup>nd</sup> of last year: "The president is determined to see the end of the Castro regime and the dismantling of the apparatus that has kept him in office for so long."

To achieve that goal, the president this past January appointed a Commission for Assistance to a Free Cuba 1) "to bring about the expeditious end of the dictatorship", and 2) to develop a plan to provide assistance to the Cuban people in a post-Castro Cuba.

#### Bush's Policy Hitting Home

"Without me they (father and children) wouldn't eat"  
- Raul Boucourt, Cuban American

Cuba's transition is "our own internal affair, which involves Cubans"  
- Gutierrez Menoyo, leading Cuban dissident

"If we're really serious about letting Cubans hear a voice other than Castro's, why not let Americans travel there? After all, Castro can't scramble a first-hand conversation"  
- Representative Jeff Flake, R-AZ

"The dumbest policy on the face of the earth"  
- Larry Wilkerson, chief of staff of Colin Powell.

"Dialogue, engagement, trade, people-to-people contacts. That's the smart and humane way to go."  
- *New York Daily News*

Now while it may seem premature to plan for assistance to the Cuban people in a post-Castro situation, one cannot object to the concept, assuming that the Cuban people and authorities, when the time comes, wish to receive such assistance.

Bringing about the end of the Castro regime is something else again. The Bush administration

insists that this will be accomplished by peaceful means. Congressman Lincoln Diaz-Balart, on the other hand, recently suggested that the U.S. consider assassinating President Castro, and other Florida political leaders have called for use

of force. But even if the administration sticks to what it considers “peaceful means”, the effort itself may well represent intervention in the internal affairs of another state, and certainly will provoke a defensive reaction on Cuba’s part.

This aside, do the measures laid out by the administration stand any chance of achieving the objective, i.e., of bringing an end to the Castro regime? These fall into three broad categories, all of which are discussed below: 1) By squeezing the Cuban government economically, principally by further restricting the rights of American citizens to travel to the island, and by limiting remittances from family members in the United States. 2) By enlisting the support of other nations, principally in Latin America and Europe. 3) And, finally, by supporting the internal opposition, i.e., the dissidents.

### **FAULTY RATIONALE**

Wayne Smith, the lead-off speaker, noted that one could tell a good deal about a policy by the straightforwardness and accuracy of the reasons given for its adoption. When its proponents must resort to half-truths and spurious allegations, it usually indicates the policy itself won’t bear careful examination. And that is the case here. In making its recommendations, for example, the Commission alleges that Cuban officials tortured American POWs in Vietnam. This was a charge raised more than 25 years ago when we were in the process of opening interests sections in Washington and Havana. The charge was looked into then and found to be without any credible foundation. But now, two decades later, the Commission has dredged it up again, at a time, it should be noted, when the U.S. has amicable relations with Vietnam and when many former POWs have returned to that country in friendship. What such a charge has to do with new and more draconian measures against Cuba is difficult to fathom.

The Commission also alleges that its rationale for reducing remittances, family visits, excess baggage charges, etc., is because “dollars made available to the regime through these means permit it to divert resources to the maintenance and strengthening of its repressive apparatus and away from meeting the basic needs of the Cuban people.”



*Wayne S. Smith, the senior fellow of the Cuba Program at the Center for International Policy*

By what convoluted reasoning? All revenues, including those mentioned by the Commission, go into a central budget and are then used to pay for the health care, education, subsidized housing and other needs of the Cuban people, as well as a relatively small percentage for defense and security. As many non-official Cuban friends have often noted to me, “the more Americans here and spending money, the better off we are.”

And in the same misleading vein, to prove that Cuban women are exploited, the Commission asserts that: “With Fidel Castro’s active encouragement, Cuban women have been advertised as inducements to foreign male tourists. Castro denies the fact that his policies have forced women into prostitution, claiming that Cuban women choose prostitution ‘because they like sex’ and boasts that Cuban prostitutes are “highly educated hookers.”

“I would challenge the Commission to cite the source of these observations,” Smith said. And one should note that they actually quote Castro as saying that Cuban women turn to prostitution “because they like sex.” Smith said he would challenge them especially to footnote that remark. Where and when did Castro supposedly say that?

That kind of misrepresentation aside, the most basic problem with the Commission’s recommendations, and with the measures flowing from them, is that the underlying strategy is totally flawed. Most of us would like to see Cuba move in the direction of a more

open society with a more thoroughly mixed economy. But the way to advance that objective is through reduced tensions, greater engagement between our two peoples and a dialogue between the two governments to address remaining disagreements. The approach we have tried over the past 40 years or more, however, i.e., economic pressures, threats and efforts to isolate, not only has not worked, it has proved totally counterproductive. The more we threaten and pressure, the more defensive the Cuban government becomes. Thus, the Bush administration’s policies so far have resulted in a worsening human rights situation, not in any amelioration

And it must be stressed that there has been an escalation under the Bush administration. Administrations of the past aimed at encouraging a more democratic regime showing greater respect for the civil rights of its people. The Bush administration aims at nothing less than putting an end to the

Castro regime. At least so it says. But as we examine the measures it puts forward to achieve that objective, we must in each case ask ourselves, “will this bring down the Castro government – or at least contribute significantly to that goal?”

Let us examine them one by one.

## **MEASURES TO REDUCE REVENUES**

### ***Restricting Family Visits***

From now on, Cuban-Americans will only be permitted to visit their families in Cuba every three years, rather than once a year, as they have in the past. Further, the visits will be limited to 14 days, will be permitted only to immediate family members, per diem will be reduced and each visit will require a specific license.

This measure is totally misplaced and amounts to an attack on family values. Allowing close-knit Cuban families to visit one another only once every three years is cruel and unusual punishment. It will indeed reduce somewhat the revenues derived by Cuba from such visits – revenues that by and large went directly to the families. On all counts, it is the families that will suffer most. Government earnings will be reduced, but not to any significant degree. It should be noted that almost two million tourists visited Cuba last year. Only 120,000 of those visitors, or some six percent, were Cuban-Americans. So even if Cuban-Americans supinely accepted the new rules, revenues would thus be reduced by only some three to four percent. That would cause some pain, but certainly would not even begin to lead to the downfall of the Castro government. Further, Cuban-Americans are more likely to honor the new restrictions in the breach than in fact. The need to see and maintain contact with their families is so strong that many will travel by round-about routes through third countries in order to do so. And who can blame them?

### ***Restrictions on Remittances***

Remittances were not in fact reduced. Cuban-Americans will now be permitted to send them only to immediate family members in Cuba, but most sent them only to their close families anyway. There will also be new efforts to halt illegal remittances, i.e., by and large, those carried by couriers and thus able to ignore limitations on amounts. The success of such efforts is highly problematical. Even if some slight reductions result, the effects will be minimal.

### ***No Excess Baggage***

From now on, passengers will only be permitted to carry 44 lbs of luggage. They cannot pay a special fee to carry

more than that. According to the Commission’s recommendations this was done to deny to the Cubans the excess luggage fee. But it was not the Cubans who were collecting it! It was the American carriers. Hence, American charter companies and carriers will no longer be able to collect these fees, which were an important part of their income, and Cuban-Americans will no longer be able to carry down extra pounds in the form of foodstuffs, medicines, clothing and other items needed by their families. The Cuban government loses not a penny. This is either a monument to the ignorance of the president’s Commission for a Free Cuba or it is a disguised effort to harm the American carriers. Smith said he would assume the latter and would therefore see the measure as of doubtful legality. The carriers should contest this in court.

### ***Restrictions on Educational Travel***

Alleging that the Castro regime has used short-term visits by U.S. academic groups “to cultivate the appearance of international legitimacy and openness to the exchange of ideas,” and that some such groups have engaged in “tourist activities,” the new measures aim to prohibit such visits. No longer will groups of students from, say, Johns Hopkins, be allowed to go to Cuba for two-to-three week programs to study subjects such as Cuban literature, music, history, Afro-Cuban culture, etc. From now on, only semester-long programs will be permitted.

The reasoning behind this is utterly absurd, Smith said. He had accompanied a number of such short-term programs and had observed dozens of others. All had been serious academic efforts. Further, if these short-term programs somehow enable the Cuban government to pose as “legitimate and open to the exchange of ideas,” how would semester-long programs in any way reduce that ability? Indeed, would they not add to it?

The Commission recommends that short-term programs be permitted “only when the program directly promotes U.S. foreign policy goals.”

Would that not politicize academic endeavors and represent an infringement of academic freedoms? Further, would it not be discriminatory? Smith said it seemed to him almost certainly so. He assured the audience that the Johns Hopkins exchange program, which he directs, and various other universities and academic entities will challenge this absurd measure in court and he believed they will almost certainly win – if indeed the Treasury Department is so foolish as to go ahead with the restrictions as presently written.

### ***Expanded Broadcasting of Radio and TV Marti***

The plan apparently is to have military aircraft transmitting Radio and TV Marti to Cuba. This will be terribly expensive. Further, if the broadcasts are made from U.S. air space, it will still be relatively easy for the Cubans to jam the TV transmissions. If they are made from international airspace, that would violate the International Communications Convention. Further, whatever the outcome in that context, expanded transmissions are likely to have minimal impact in Cuba. Radio Marti has been broadcasting for many years, and only sporadically jammed. It has had little impact on public opinion in Cuba. Indeed, since it moved its offices to Miami some years back, in direct violation of its mandate (which calls for it to be in Washington and subject to the supervision of the U.S. Information Agency to assure the accuracy and objectivity of its broadcasts), its listenership in Cuba has actually declined. Cubans now tend to see it as simply another unreliable exile station, though paid for by the American taxpayer.

### ***Increased Assistance to Dissidents Inside Cuba***

The new measures call for increased funding to “aid the training, development and empowerment of a Cuban democratic opposition.” Most of these funds will be given to groups in Miami, supposedly to channel to those in Cuba. Past experience, however, suggests that almost all the money will remain in Miami. Smith noted that none of the dissidents he knew would accept funds from the U.S. government. They value too much their nationalist credentials. Nonetheless, given that the Bush administration is now insisting it will provide increased funds for “the empowerment...of the opposition,” it is difficult to see how this is not virtually a matter of signing arrest warrants for members of the opposition? It is utterly irresponsible on the part of those proposing the new measures. One can only assume that they would like to see all dissidents in Cuba jailed immediately. And, indeed, it was precisely this kind of rhetoric and policy that led to last year’s crackdown during which some 75 dissidents were indeed jailed.

Encouraging internal groups in another country to call for greater freedoms is one thing. That we should all support. To provide support, or claim to provide it, to internal groups with the avowed purpose of putting an end to the government of that other country, however, is not only blatant interference in its internal affairs, it is subversive, and in this case, moreover, a clear violation of the Charter of the OAS.

It is again, however, an effort that will not work. Responsible dissidents in Cuba have an important role to play in expanding the parameters for freedom of expression and assembly. The Varela project, in effect calling for a

referendum in favor of greater political and economic liberties, is a perfect case in point. We should all support such efforts and voice our solidarity with those who put them forward. The administration’s view of “the opposition,” however, seems to be of a growing force that will at some point soon have the strength to overthrow, or in some way bring down, the government. But that is illusory. The dissident movement does not have and is not likely to have any such strength. Nor do most observers – or even the dissidents themselves – see that as their proper role. That was made clear when the leading dissidents themselves rejected the new measures as “unhelpful meddling,” unwanted “intervention in an essentially Cuban affair,” and as “insulting.” They made it clear that they want to have nothing to do with the new measures. As one, Vladimiro Roca, put it, “a transitional process in Cuba is up to the Cuban people, not to the United States.”

Finally, as has become readily apparent over the past couple of years, and especially in the wake of last year’s crackdown, the dissident movement has been thoroughly penetrated by Cuban State Security, many of whose agents appeared at the trials of those who until only a few days previously had been “their fellow dissidents.” Increasing aid to the dissidents, then, may be more a matter of feeding funds into the Cuban government’s own coffers!

Smith said he would end his remarks on that note. Ambassador Jett would address U.S. efforts to gain international support for its efforts against Cuba. On that subject, Smith said he would only note that as intervention in internal affairs is a most sensitive issue in Latin America, he did not think the Bush administration would find many allies in its campaign to bring down the Castro government. Other Latin American states may criticize Cuba on human rights grounds, but they are not likely to support efforts to oust it.

## **IMPLICATIONS FOR LATIN AMERICA**

The Commission recommended that the U.S. “increase direct efforts with willing third-country governments to implement a robust, proactive policy to 1) support Cuban civil society, including the opposition, and 2) develop policy frameworks for assistance to a post-dictatorship Cuba.” In other words, the U.S. should try to build international solidarity among other Latin American countries to squeeze out the Castro regime. Is the Bush administration calling again for a coalition of the willing to carry out regime change? Ambassador Denis Jett, the dean of the International Center at the University of Florida and director of the Global and Transnational Studies Center, analyzed the implications for U.S. relations with the republics to the south as the administration increases pressure for their cooperation with



Ambassador Denis Jett, *the Dean of the International Center at the University of Florida and Director of the Global and*

our campaign to oust Castro.

Changes in our policy towards Cuba have historically corresponded with U.S. elections. According to Jett, it is nothing more than a “symbolic policy,” a political tool used to ensure the Republican vote from Cuban-Americans residing in the all important swing state. These latest measures are in response to weakening support for President Bush among Cuban-Americans. According to a recent poll, while 64 percent of the Cuban-Americans in Miami voted for Bush in 2000 only 56 percent intend to in 2004. This represents a potential loss of 30,000 votes in a state that was supposedly won by Bush with a margin of 500 votes. The new policy will not be received with applause, however, as it directly affects the ability of Cuban-Americans to visit and send support to their families.

The implications for relations between the U.S. and the rest of Latin America are, “in two words, not much,” since the policy is chiefly designed to play to a domestic audience. The opportunities for confrontation or cooperation between the U.S. and other countries in implementing the new policy is probably not great. Given what U.S. actions in Iraq have done to our image and ability to provide leadership in the area of human rights, the State Department’s most recent report on human rights was “greeted with laughter in Latin America.” The new Cuba policy will simply further convince our neighbors that we continue to “step to the sound of our own unilateralist drummer.” Latin American governments are also unenthusiastic about the interventionist tone of the recommendations and more talk of regime change. “Latin American countries will criticize Cuba on human rights, but they won’t join with the Bush administration in attempts to bring down Cuba government,” Jett said, as proved by statements made by Mexican President Vincent Fox. Both sides will avoid any confrontation and quietly pursue their individual interests. It is clear, for instance, that neither the

U.S. nor other Latin American governments will be willing to hold up the key free trade negotiations, such as CAFTA, over the issue of Fidel Castro.

One concern is the exorbitant price tag of the new policy. According to the Commission’s report, the State Department will have to pay \$59 million to fund the transition. Some Americans will be asking “where is the money going to come from,” especially taking into account the fact that State Department will be picking up the check for costs incurred in Iraq after the June 30<sup>th</sup> handover. Many Latin Americans will be wondering if the \$59 million will come from aid programs currently directed towards their countries.

Most worrisome are the implications of the Cuba policy for the image of democracy in the hemisphere, where there is mounting evidence of a backlash. Public opinion surveys in Latin America show that if authoritarian governments could provide desperately needed economic security, many would be willing to give up certain personal freedoms. The Bush administration’s new policy guarantees increased solidarity and sympathy for Castro and the Cuban people. This, in turn, will translate into sympathy for the Chavez administration in Venezuela, which, according to Jett, is the most significant threat to democracy in the hemisphere today. We should be encouraging true internal movements towards democracy in Latin America, rather than attempting to impose it in Cuba.

## UNDERSTANDING CUBAN-AMERICANS

Max Castro, a visiting professor in the Comparative Studies Program at Florida Atlantic University, believes the Bush administration’s policy will further politicize and polarize



Max Castro, *a visiting professor in the Comparative Studies Program at Florida Atlantic University*

the diverse Cuban-American factions within Miami.

Let us not be fooled, he said. “Miami is the center of gravity of this policy”. Within Miami there exists a conservative sector that continues to advocate a more

stringent U.S. policy towards Cuba. These traditional exiles fled the revolution in the 1960s and no longer have family ties or connections to their homeland. They are the least affected by the controversial regulations that seek to further isolate Cuban-Americans from their Cuban families. However, they are the most politicized group. They are registered, active voters and are influential campaign donors with top-level Republican connections. They advise the administration on policy formulation, using one illogical argument after another to justify legislation that attempts to bring about regime change. The good news is that they are decreasing demographically, now representing a distinct minority of the Cuban-American community.

The more recent wave of immigrants came to the U.S. to pursue economic opportunities in the 1980s and 1990s. This group now constitutes the majority of the Cuban-American community in Miami and they are in principle opposed to sanctions against the island and their loved ones. However, they had something of a tacit agreement with the conservatives. As long as they could maintain strong ties to family and friends in Cuba, making regular visits and sending remittances often, they would stay out of the debate on U.S. foreign policy. They have in the past remained silent, not willing to jeopardize their recently earned economic security by creating conflict with the hardliners in power. Few have registered to vote and they have remained politically unorganized. However, this policy has targeted and restricted them more than any previous legislation and they will not remain silent for long.

Lastly, there exists a small group of activists, professionals and academics who have for the past 10 or 15 years advocated a change in U.S. policy to allow for freer exchange and the reestablishment of diplomatic relations. They are the Cuban-American moderates. In the struggle against the new regulations, the majority and this moderate minority could prove to be a formidable alliance against the traditional conservative powerhouse.

We have witnessed a growing trend towards hardliner empowerment at the institutional level as more and more serve on corporate boards of directors and in Congress. They control debate in the media and universities. The spectrum of information has been getting smaller with less opportunity for open debate and alternative views. The *Miami Herald* used to run articles critical of the American government's outdated policy. Rarely any more. Now, by and large, it runs pieces by columnists and editorialists who advocate the U.S. approach. It is harder to come by alternative opinions. Even in editorials written after the announcement of the new policy, there have been no critical commentaries, no strong statements reflecting what many in

Miami are calling an "inhumane" policy. Only in local papers with smaller readership can you find articles reflecting the reaction of the majority of Cubans. The universities are also showing a conservative bias. The University of Miami's Cuban Studies Programs has received a lot of funding to be used for democratic transition studies projects. University academics are now dedicated to studying problems caused by Castro and Cuba's institutional failings, rather than analyzing U.S. foreign policy. It seems that more and more often, U.S. foreign policy is simply not acknowledged as a large part of the problem in the advancing deterioration of our relations with Cuba.

There is a bright side. Despite conservative control over debate, there is a trend towards greater moderation in political ideology spurred by the arrival of new immigrants. The trend went unnoticed by the hardliners and the U.S. administration and led them to miscalculate the reaction of most in Miami. "This policy has aroused us, the non-politicized Cuban-American majority, to finally get involved in the debate, organize and take collective action against the rules limiting access to families," Max Castro said. "We will be the ones most affected" as the government further restricts travel and regulates remittances. There are those who will remain disengaged, believing it is not worth the risk or hassle to fight the policy and the hardliners. They will find a way to get around the new regulations illegally, by going through other countries. However, for most, a fight is brewing: "The hard-liners have crossed the line, and we're no longer afraid to speak out for ourselves."

## THE REACTION IN MIAMI

Alfredo Duran, of the Cuban Committee for Democracy, said that Cuban-Americans are "mad as hell" about the recommendations, as should be anyone with "an ounce of sensitivity and humanity."



Alfredo Duran, the president of the Cuban Committee for Democracy

So what have they done to fight back? In *El Nuevo Herald*, the Spanish paper affiliated with the *Miami Herald*, six representatives from active Cuban-American groups purchased and signed a full-page advertisement on May 20<sup>th</sup>, Cuban Independence Day. The space featured an open letter addressed to the community informing them of the impact of the proposed regulations and asserting that “a policy of engagement is the most effective way to accomplish change”. The letter “respectfully asks Bush to reject the recommendations of this Commission”. People are encouraged to cut the letter out of the paper, sign it, and mail it to the State Department, which they have done in record numbers. *El Nuevo Herald* sold out on the day of the letter’s publication.

Three hundred and fifty frustrated Cuban-Americans attended a recent press conference held in Miami to discuss the impact of the new regulations. This kind of attendance has never been seen before in Miami. Duran comments that “full organization is occurring” in response to the administration’s new policy.

Spanish-language radio stations have joined the campaign to unite the community against the policy. Numerous broadcasts have been aired railing against Bush’s regulations. One particular commentary pointed to the hypocrisy implicit in the new measures. “President Bush, where are your family values? Because you’re taking away ours,” the commentary asserted, noting that the administration cannot claim to promote family values while it promotes legislation to limit contact between Cuban-Americans and their immediate and extended families.

The Bush administration has miscalculated the Cuban-American response, Duran concluded. It did not take into account the strong ties they have with their families in Cuba. This new policy will have tremendous backlash in the Florida election results. The majority of Cuban-Americans, now convinced that their voices have not been heard, will be voting anti-Bush in November. And they have the numbers to stop him from winning Florida. Already, fewer are supporting the Republican party. The number of Cuban-Americans who registered Republican has decreased to 44 percent since the 1980s. Most who have arrived in the U.S. over the past two decades have registered as independents and have a more moderate political stance.

There will be two distinctive reactions to the policy in the November elections. First, fewer hard-line Cuban-Americans will come out to vote. The hard-line response to the policy has been mixed. Some will continue to vote Republican, feeling that the administration is sending the right message in further isolating Cuba. Other conservatives, however, believe the restrictions on travel and remittances

are unreasonably harsh and largely ineffective, and will stay away from the polls. Support for the Bush campaign from traditional conservative Cuban-Americans will be less visible.

The second reaction is that the Cuban-American silent majority, previously excluded by the political structure in Miami, will vote in larger numbers to defeat Bush. They will act as a political force against the Bush administration’s new policy. Already, unprecedented political mobilization in the Miami community is occurring. Faced with an issue which deeply concerns them, their ties to their families in Cuba, they have been galvanized to action. “They are mad and they will show it,” Duran concluded.

## POSTSCRIPT

### *Cuba Sanctions Reform Act of 2004*

Wayne Smith noted that that very morning, May 20<sup>th</sup>, 2004, Senator Max Baucus (D-MT) had taken the opportunity of Cuban Independence Day to introduce legislation allowing trade and travel sanctions to expire in one year, unless renewed by Congress.

In the news release, Baucus said: “On this anniversary of Cuba’s Independence Day, I can think of no better way to honor the Cuban people than by providing them with independence from America’s irrational sanctions restricting travel and trade. The bill we’ve introduced today takes a middle-ground, common sense approach – Our bill would not lift the embargo; it would simply give Congress and the American people a say in the process.”

Panelists at the CIP conference said they were encouraged to believe there is momentum in Congress moving towards recognizing the need for a new approach. This is a significant milestone legislation that has a good chance of passing.

### *Delay in Implementing New Regulations*

The administration had at first indicated implementing regulations for the new measures would be in place by June 1<sup>st</sup>. Subsequently, however, that was postponed until June 30<sup>th</sup>.

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