

CUBA AND THE U.S. NATIONAL INTEREST: DEVELOPING AN AMERICAN STRATEGY FOR THE CUBAN TRANSITION

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What are American national interests in Cuba? At first, the answer seems obvious. For fifty years, America's leaders have called for a democratic and prosperous Cuba. Today, our leaders still use those words, even as the reality is and has long been much more complex. For several decades we worried about Cuba's alliance with the Soviet Union, its support of anti-American revolutionary movements, the problems of mass migration, and the use of Cuba as a waypoint for drug smuggling. Even as we continued to call for the overthrow of the Cuban regime, we made deals with the government of Fidel Castro to prevent mass migration and to cooperate on drug smuggling.

Today with the imminent possibility of change in Cuba, we need to take stock of our national interests, to understand the ways they are in conflict, and to plot a strategy that sets and helps us achieve our priorities.

America's national interest always has two parts: national values—what we want for the Cuban people—and our own national security. Most Americans and their government would agree on the values. We want for Cuba what we want for ourselves:

- A Cuba where the people can decide their future in a free and fair democratic process.
- A Cuban Government that respects and protects basic human and political rights and is capable of providing security and justice to its citizens.

- A Cuba where citizens will enjoy a good standard of living and possess a sense that they will have an opportunity to progress in the future.

Our national security interests are also relatively easy to list. We want to:

- Avoid one or more mass migrations the size of the Mariel Boat Lift or the 1994 Rafter Crisis.
- Prevent Cuba from becoming another porous border that allows continuous large-scale migration.
- Prevent Cuba from becoming a major source or transshipment point for the illegal drug trade.
- Prevent Cuba from becoming a center for organized crime and money laundering.
- Avoid Cuba becoming a state with ungoverned spaces that would provide a platform for terrorists and others wishing to harm the United States.

Cuba is at the beginning of a transition from almost fifty years of Fidel Castro's rule. If we handle our part wisely, a new Cuba may emerge, democratic and with growing prosperity. We will not of course be the principal player in Cuba's future—that belongs to the people of Cuba—but if we mishandle our role, we could delay or short-circuit that desired future. The 1994 Cuban Libertad Act (Helms-Burton) governs current U.S. policy. The Act's goal is the overthrow of the current regime and the prevention of its continuation under new leadership. It sets conditions for our assistance

1. An earlier version of this paper was presented at 2008 International Symposium of the Cuba Project "A Changing Cuba in a Changing World" at the Bildner Center for Hemispheric Studies (March 12–15, 2008).

to a post-Castro Cuba, but remains mute on issues of national security. To his credit, President Bush has tried to think through the issues we will face after Fidel leaves the scene. His appointment of the Commission for Assistance to a Free Cuba (CAFC) was a good first step, and in its second report, CAFC II, the Commission defined key issues and proposed some workable solutions. Unfortunately, the Commission could only go so far, because the Administration limited its recommendations to those allowed by Helms-Burton.²

Helms-Burton assumes the current Cuban regime will be overturned by a civil uprising and/or by internal coup, led by the Cuban armed forces. This assumption has dominated U.S. planning for a post-Castro Cuba for several past Administrations. President Bush articulated it last year in his October 24 remarks on Cuba.³ Such an uprising is unlikely to happen anytime soon. The Act rejects American cooperation with any Cuban regime that makes partial reforms or plans to take more than 18 months to turn Cuba into a democratic state. It is an idealistic, but not pragmatic, policy.

Any change in Cuba is more likely to start from the top. Cuba today is a totalitarian state, with an effective security system. The State Security branch of the Ministry of Interior provides the political policing function, including the secret police, as well as most of the crime-fighting units—drug enforcement, criminal investigation—and the Territorial Border Guard, which in turn contains the Cuban Coast Guard. The Committees for the Defense of the Revolution (CDR) monitor every block for political and civic correctness, and can grant and take away “privileges”—jobs, educational opportunities, or the ability to obtain certain goods—at will. The past year has demonstrated the Cuban leadership can stay together under Raúl Castro’s leadership. So far, Castro biographer Brian Latell’s analysis that Raúl is an effective administrator

who has built a closely-knit team appears justified. However, change is coming.

It is highly likely, and there is evidence to believe, that much of the current leadership knows the current system cannot continue indefinitely. Cuba’s leaders have studied the collapse of the Soviet Bloc. They will try to avoid the same mistakes. Raúl has visited China to study its reforms. The post-Fidel leadership, mindful of its own security, will likely experiment with economic reforms, but will postpone sharing political power. A key question for American policy makers will be to decide if we engage that leadership to push for further reform or if we continue our all or nothing approach. That decision should also take into account the problems a rapid transformation of Cuba into a democratic state will create for U.S. border security.

Cuba is 700 miles long with almost 11 million people. Surrounded by 3,700 smaller islands, it has 5,400 miles of coastline, numerous harbors and even more beaches. Able to stage along the Cuban coast, would-be emigrants and smugglers will have an almost unlimited supply of routes to reach our Southern shorelines. Despite our Coast Guard’s best efforts, annually almost 20,000 undocumented Cubans reach our shores. Half come through the Florida Straits. The other half go first to Mexico and then cross into the United States. Unlike other undocumented aliens, the latter do not have to sneak through the desert. Under the 1966 Cuban Adjustment Act and the Wet Foot/Dry Foot policy, Cuban refugees need only take the first step onto U.S. soil.

Maritime interdiction is a deterrent to the *balseiros* (rafters), if accompanied by a willingness and ability to return interdicted migrants to Cuba. It is much less effective against “fast boats” and other motorized craft that can make a quick journey across the Florida Strait. Today our Coast Guard is able to control the small but

2. *The Second Report of the Commission on Assistance for a Free Cuba* is available at <http://www.cafc.gov/>.

3. “Some of you are members of the Cuban military, or the police, or officials in the government. You may have once believed in the revolution. Now you can see its failure. When Cubans rise up to demand their liberty, they—they—the liberty they deserve, you have to make a choice. Will you defend a disgraced and dying order by using force against your own people? Or will you embrace your people’s desire for change? There is a place for you in the free Cuba. You can share the hope found in the song that has become a rallying cry for freedom-loving Cubans on and off the island.” President Bush, “Nuestro Día Ya Viene Llegando (Our day is coming soon).” (October 24, 2007), <http://www.whitehouse.gov/news/releases/2007/10/20071024-6.html>.

steady flow of rafters out of Cuba. It is also likely to be able to control another short mass migration, such as the rafter crisis of 1994. Even with the Navy's help, however, it does not have the resources to maintain the op-tempo of a sustained mass migration. The major deterrent to Cuban emigration is not maritime interdiction, but rather the ability of Cuba's Territorial Border Guards to stop mass migration on the Cuban beaches and on roads to the beaches. The Guards also prevent the building of boats, while the scarcities of the Cuban economy limit the availability of boat building materials and outboard motors.

The same border guards and the Cuban Coast guard act as a deterrent to drug smugglers who might otherwise base their operations on the Cuba shore or its myriad islands. The drug trade already operates off the Cuban coast. Planes flying from Colombia and Venezuela fly over or near Cuba and drop floating bundles of drugs off the coast. Fast boats pick up the bundles and hug the shoreline until they are ready to make a quick trip to Miami or the Florida Keys. The Cuban Coast Guard sometimes manages to capture these boats, while the Border Guard discourages the establishment of permanent bases on the Cuban coast.

When Cuba is no longer a police state, many of the deterrents to migration and drug smuggling will disappear. A free Cuba, like a free Mexico, will not prevent its people from emigrating. An open economy will supply the boats and motors now in short supply. Thousands of legitimate recreational craft will travel between Florida and Cuba providing an additional cover to those involved in illegal trade. If the transition from the old to new Cuba is violent, we could see thousands of Communist officials and their families fleeing to the nearest safe-havens, the Bahamas, Mexico, and the beaches of Miami. Under the Cuban Adjustment act they would be hard to deport, more so if their fears were justified.

A democratic Cuba, like our own country, will have difficulty fighting the drug trade. A free but poor Cuban population, without immediate economic opportunities, will gravitate, as did post-Soviet Russians, towards the rewards of criminal activity. A Cuba with a collapsed government will leave, as in Iraq, gapping open spaces for organized criminal activity of all types.

Money laundering will also become a problem. Today it is hard to get large quantities of money in and out of Cuba. Cuban authorities enforce strict currency controls. U.S. controls on international transactions, most of which flow through New York banks, make it difficult to send money through banks and other financial institutions. Those controls will have to be removed early in the process of transition to spur rapid economic growth. With the controls removed and amidst the chaos of the creation of a new financial system, Cuba will become a low-risk haven for money laundering.

There is a saying in Cuba "that anyone can steal a dollar a day, but no one can steal a million." It is a claim made true by, among other factors, the role of the Committees for the Defense of the Revolution (CDR). Today, a Cuban could not spend a million dollars in Cuba. The CDRs would quickly notice even a small change in an individual's spending. The reforms of the "special period" complicated the work of the CDRs by opening new legitimate sources of income. The abolishment of the CDRs and/or the creation of a free market economy will destroy that ability to monitor spending and illegal cash flows of all types.

We need a strategy to deal with all these eventualities. The Cuban Libertad Act allows for no concessions to a government headed by Raúl, even if he were to start a reform process. It requires, among other things, the abolishment of the State Security division of the Interior Ministry. This appears morally unassailable until one realizes that State Security also includes the Territorial Border Guards and their Coast Guard counterpart, anti-drug units, and major crime investigation units. Its total abolishment, as demanded by U.S. law, would leave Cuba in much the same state as Iraq after we abolished its army and police.

THE ELEMENTS OF A STRATEGY

To maintain our vision of a free Cuba while protecting our national interests will require an informed and flexible strategy, able to respond to the changing situation in Cuba. When the Cuban Government is ready, we need to develop a policy of engagement, much as we did with the former Soviet Union and its satellite states. It should not be a policy of unilateral concessions, but it should allow us to act in our own national interest.

As a first step, we should reestablish full diplomatic relations with Havana. This would demonstrate our willingness to respond in measured steps to positive events in Cuba. Raúl Castro has toned down the rhetoric against the U.S. Government. Cuba recently signed two international human rights treaties. It is opening the internet to its people. We could use these actions to justify the establishment of full relations.

However, we should not look for this type of justification. U.S. interests require this step. Any coherent strategy requires good information. Today, we have far too little of the information needed to respond to events in Cuba. We need to give our diplomats in Havana the space to do their normal job of reporting on personalities, conditions, institutions, and attitudes in Cuba. They need contacts in the Cuban civil service, so they can react to sudden changes in government. We need better coordination for drug interdiction. Our Treasury needs contacts with Cuban financial authorities.

These needs require reducing restrictions on Cuban diplomats in the United States. Cuba has retaliated to our restrictions on their diplomats by preventing U.S. diplomats from going outside of Havana or talking to any government employee other than those in the Ministry of Foreign Relations. Of course, Cuban diplomats can learn almost anything they need to know about us by reading our newspapers and watching our television. Our diplomats do not have that luxury. We should lift our restrictions if the Cubans do the same, and then get on with the job of understanding the reality ahead.

We should also begin a new dialogue on immediate measures of cooperation by reviving the migration talks and seeking ways to improve drug cooperation. Of immediate concern to both countries is the environment. As Cuba continues to explore for offshore oil in the Florida Straits, we need to plan for coordinated action against oil spills that could contaminate Florida's beaches.

To prepare ourselves for whatever happens in Cuba, we should repeal the outdated Helms-Burton Act, which straitjackets U.S. policy. Its all-or-nothing approach prevents it from providing an effective incentive for further reform. The Act does provide the Pres-

ident some loopholes, but anyone who has worked in the interagency process can testify to the difficulty and time it takes to make policy changes in Washington. In the aftermath of the last Israel-Hezbollah war, the U.S. Government promised assistance to the government of Lebanon. To meet its promise, the Executive branch had to work through the various bars to assist Lebanon. It was a full year before our first non-humanitarian assistance, a dozen Humvees, arrived in Lebanon. In the meantime, Iran had distributed millions of dollars through Hezbollah. In a volatile situation that may characterize the Cuban transition, we would need to act much more quickly.

We should not tie ourselves in knots trying to define what would constitute a hypothetical transitional Cuban government and putting prior restrictions on the type of assistance we could provide. Under Helms-Burton, the U.S. Government can give very little economic assistance to a transitional regime before the election of a democratic government. Yet during this transitional period many problems will arise that could derail the evolving democratic process. We will need to be able to make judgment calls during this period, to assist the transition process, to strengthen Cuba's ability to fight narcotics trafficking, and perhaps boost the economy. This would not require that we assist a government unwilling to implement political reforms, but would return the decision to the discretion of the Executive branch and the Congressional appropriations process where it belongs.

We should also amend the requirement that we provide no assistance until the transitional Cuban Government abolishes State Security. The President's Commission did its best to avoid the obvious problems of Helms Burton, but could not repudiate the Helms-Burton language, and proposed language that would serve us well for discussions with any Cuban government. It proposed that we:

... assemble and maintain a current list of criminal justice system personnel implicated in abuse or corruption that will be available to all U.S. Government personnel discussing conditions for potential U.S. assistance with a Cuban Transition Government.⁴

We can refuse to give support to a government full of thugs, but Iraq should have taught us we cannot afford

to demand the abolishment of the entire system of law enforcement.

We, the American people, should also give serious thought to what guidance should be given to the President regarding implementation of the Cuban Adjustment Act once Cuba begins to move towards democratic elections. If we continue to give permanent residency to every Cuban who arrives on our shores, we will face a massive and long-lasting migrant flow. We are unlikely to forge a national consensus on this issue, but it deserves more public debate.

Finally, we should not unilaterally lift the embargo. That should wait until the process of political and economic liberalization is well underway. The President already has the authority to lift the embargo in piecemeal steps. He can use that authority to reward good Cuban behavior.⁵ Lifting the embargo would be a big boost to the Cuban economy, but contrary to the claims by those anxious to do business in Cuba; its value to the economic welfare of the American people would be minimal.⁶ For humanitarian reasons, however, we should lift the restrictions on family visits and remittances.

THINKING THROUGH VARIOUS TRANSITIONAL SCENARIOS

There is no reliable method to predict Cuba's path in the next few years. Numerous scenarios come easily to mind, but two polar examples are worth mentioning.

A Regime Collapse

Collapse could follow from a military coup or, in a more likely scenario, from a series of public protests

that turned violent. The government has a wide variety of tools it uses to contain demonstrations when they occur. Violence is seldom necessary. Punishment of demonstrators usually comes after the demonstrations are over.

Over time, perhaps not until Raúl departs, there is likely to be a weakening of unity among the leadership. Disagreements over policy and competing personal ambitions will eventually become evident to the public. The weaker the government appears or the more hesitant it is to react decisively against public protests, the more likely the size and number of demonstrations will grow. If a collective government falters in its decision making and/or if the security forces make an uncharacteristic mistake in crowd control, the potential for violence is great. If the government loses control, generalized violence—political, criminal, and score-settling—is likely.

This will be a critical period for U.S. policy. We may want to support a new government promising a return to democracy. Such a government could come under severe financial pressure. Other governments, with their own agendas, may want to fill an economic and political void. We might wish to provide fast disbursing economic assistance. This is when knowledge of personalities, institutions, and regional differences will be important. This is when I would hope the American government would call on our Cuban scholars to fill our gaps in knowledge.⁷

4. *The Second Report of the Commission on Assistance for a Free Cuba*, Chapter 3.

5. Tying the lifting of all or parts of the embargo to specific reforms could backfire. The current Cuban government and probably a good portion of the populace will react strongly against American "demands." However, we can respond positively to appropriate Cuban reforms and thus condition the environment for further positive steps.

6. Gary H. Maybarduk, "Comments and Observations on the U.S. International Trade Commission Report," *Cuba in Transition—Volume 11*. Washington: Association for the Study of the Cuban Economy, 2001, <http://lanic.utexas.edu/project/asce/pdfs/volume11/maybarduk.pdf>.

7. For a more detailed discussion of what needs to be done see Gary H. Maybarduk, "The Post Fidel Transition: Mitigating the Inevitable Disaster," *Cuba in Transition—Volume 11*. Washington: Association for the Study of the Cuban Economy, 2001, <http://lanic.utexas.edu/project/asce/pdfs/volume11/maybarduk2.pdf>. Two earlier articles by the same author that are largely still relevant are "The State of the Cuban Economy 1989–1999," *Cuba in Transition—Volume 9*. Washington: Association for the Study of the Cuban Economy, 1999, <http://lanic.utexas.edu/la/cb/cuba/asce/cuba9/maybar1.pdf>, and "Measures Not Taken: Issues for Today and Tomorrow," *Cuba in Transition—Volume 9*. Washington: Association for the Study of the Cuban Economy, 1999, <http://lanic.utexas.edu/la/cb/cuba/asce/cuba9/maybar2.pdf>.

The Chinese Solution

There has been much speculation whether a transition from above is likely under Raúl or his immediate successors. This is the “transformation-from-above scenario.” It is possible but far from certain. The current regime could reject free market economic reform, because of either ideology or the danger it would pose to political control.

The economic reforms could be far-reaching or limited, but even limited economic reforms could have a major impact on Cubans’ standard of living. In economic terminology, Cuba is well within its production possibility frontier. Even with its current stock of resources, it could substantially increase the economic welfare of its citizens.

At a minimum, it is likely that transition governments will return to the economic liberalization process of the “special period” of the early nineties, with the freeing of many prices, greater freedom for the farmers’ markets, and legalization of small enterprises. The recent decision by the Cuba government to allow private farmers to lease more land goes beyond the reforms of the Special Period. The recent decision to allow more private taxis is another hopeful step.

More far-reaching reforms would include legalization of private imports, encouragement of foreign investment, decentralization of decision-making to state enterprises, and requiring that state enterprises become self-financing. All of the above reforms would threaten the viability of state enterprises, which depend on captive markets for both buying and selling, but the new private sector would generate new employment opportunities. Based on the experience of the “special period,” reform could rapidly increase personal incomes and be well received by most ordinary citizens.

There would be several advantages for the U.S. in this scenario. The Cuban government would be able to maintain much of its current control over migration, while rapid economic growth and the expectation that such growth would continue could eventually decrease pressures to migrate.

Although that same growth would lessen the social controls imposed by the Committees for the Defense of the Revolution—again as it did during the “special period”—the State’s police system would remain in

place, reducing the likelihood of organized drug trafficking.

These advantages, however, would come with at a serious cost to our shared national belief in human rights and political freedom. The Chinese model that this scenario would mimic, has allowed the Chinese Communist Party to remain in power. The same could happen in Cuba. It could also lead to a Soviet-type transition where party and military leaders transfer ownership of State enterprises to themselves or their families. This fear was very much on the mind of the drafters of Helms-Burton.

Cuba, however, is not China. Outside influences will have a much easier time penetrating its relatively small population and geographical area. Its location in a sea of almost universally democratic nations will make it harder to legitimize continued authoritarian government. Cuba is not and never will be a superpower. The charismatic Fidel, who appeared on the world stage standing up to the American colossus, just before and during the Vietnam War, was an icon to many future political leaders during their political coming of age. Over the years, those leaders have remained entranced by the Cuban revolution and have given political and economic assistance to Cuba, even if contrary to their own countries’ interests. As they and Fidel fade from power, romanticism is likely to give way to more realistic policymaking (Hugo Chávez and his oil money is a counter-example to this argument).

Internally, there will also be forces for change. Unlike China, Cuba has had previous experiments with democracy. With time and economic growth, government control is likely to loosen as it did in the Special Period. Once it becomes acceptable to make money and the general populace no longer has to depend on the “generosity” of their state employer or the acquiescence of their CDR to obtain luxury goods—such as an extra ration of meat, or a television, or a computer—it becomes harder to control the population. The requirements of more complex commerce and greater integration into the world economy will bring greater opportunities for Cubans to travel and to meet foreigners within Cuba. With greater integration in the world economy, Cuba would also be more vulnerable to international pressure. Under this scenario, Cuba

might retain an authoritarian government for some time, but would be likely to lose its totalitarian nature. Personal freedom would increase.

There are too many variations of this scenario to give it hypothetical approval. Our policy makers will need to evaluate the choices at the time, taking account of the

risks, the likely outcomes, and American public opinion. That, of course, is the nature of strategy. It requires setting priorities, evaluating risks and setting a path from point A to point B. It cannot, however, be conducted under invariant rules established two decades earlier.