

CHAPTER 12

The US Strategy for Transition in Cuba

Gary H. Maybarduk, PhD

Abstract: America needs a new strategy for the Cuban Transition. Our preoccupation with the overthrow of the current Cuban Government continues to fail to achieve its goal, while obscuring threats to our national security interests. A collapse of the current regime, as envisioned by current US policy, would lead to mass migration. It would turn Cuba into a major trafficking point for the drug trade. It would not ensure the establishment of a stable democracy. The US is ill prepared for these challenges. Some principles of US policy, such as the demand for the abolishment of Cuban State Security, which includes the Cuban Coast Guard and most police organizations, will only make matters worse. Limitations on our assistance to a transition government will limit our ability to influence the transition. The Cuban Government, led by Raúl Castro or his designated successor, will likely follow a path that is some variation of the "Chinese solution". It will move forward on some economic reforms, but keep tight control of political power. Such a scenario is anathema to our national values for a free and democratic Cuba. The rigidity of current US policy, as defined by the Helms-Burton Act, is too inflexible to allow us to deal with either the governmental collapse or Chinese scenarios. Nor will it allow the US to negotiate through the intricacies of the more likely and messier combination of the two. To improve our ability to respond to the unpredictable nature of a Cuba transition, we should repeal the Helms-Burton Act and return foreign policy making to the Executive Branch and the Congressional appropriation process where it belongs. To provide the knowledge necessary to promote a successful transition, we need to allow Cuban diplomats the ability to move freely around the United States if the Cuban Government agrees to give the same freedom to our diplomats in Havana. To help the President deal with another mass exodus from Cuba, we should give him the power to suspend the Cuban Adjustment Act. These changes should not be perceived as concessions to the current Cuban Government, but rather as actions needed for our own national interests.

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. Those same words are still used today, even as the reality is and has long been much more complex. For several decades we

The US Strategy for Transition in Cuba

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.
- 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 in 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. Current US policy is governed by the 1994 Cuban Libertad Act

(Helms-Burton), the goal of which is the overthrow of the current regime and the prevention of its continuation under new leadership. It sets conditions for our assistance 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 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.¹

Helms-Burton assumes the current Cuban regime will be overturned by some combination of a civil uprising and internal coup, perhaps led by the Cuban armed forces. This assumption has dominated U.S. planning for a post-Castro Cuba for several past Administrations. It was most recently articulated in President Bush's October 24 remarks on Cuba. 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” at will—jobs, educational opportunities, or the ability to obtain certain goods. 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.

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

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 and they are determined not to make 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. It has 5400 miles of coastline, numerous harbors and even more beaches. It is surrounded by 3700 smaller islands. 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 US. 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 US soil. 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 beaches and on roads to the beaches.

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. A free Cuba, like a free Mexico, will not prevent its people from emigrating. 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. A violent transition could force tens of thousands of Communist officials and their families to seek refuge on Miami's beaches. We need a strategy to deal with those 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 US 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 that will be 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 US Government. Cuba recently signed two Human Rights treaties. We could use these actions to justify the establishment of full relations. However, we do not really need this type of justification. US interests also 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. This will require reducing restrictions on Cuban diplomats in the United States. Cuba has retaliated to those restrictions by preventing US diplomats from going outside of Havana or talking to any government employee other than those in the Ministry of Foreign relations. Cuban diplomats can of course 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.

To prepare ourselves for whatever happens in Cuba, we should repeal the outdated Helms-Burton Act, which places a straitjacket on US policy. An argument could be made that we should keep the act as an incentive for further reform. Such an argument, however, ignores the difficulty and time it takes to make policy changes in Washington.

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 current US policy, very little economic assistance can be given to a transitional government before a democratic government is elected. 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, but 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.²

We can refuse to give support to a government full of thugs, but 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

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

elections. There is no right answer to that 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. 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.³ 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. A few moments thought can easily lead to a dozen different scenarios, 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 personal ambitions will eventually leak 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.

3. Gary H. Maybarduk (August 2001). Comments and Observations on the U.S. International Trade Commission Report. In *Cuba in Transition - Volume 11*. Association for the Study of the Cuban Economy, Washington, D.C. Available at <http://lanic.utexas.edu/project/asce/pdfs/volume11/maybarduk.pdf>.

This will be a critical period for US 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.⁴

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, either because of ideology or because it appears too dangerous, as it would require the government give up too much control over its citizens.

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, and could substantially increase its production even with the country’s current stock of capital.

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.

More far-reaching reforms would include legalization of private imports, encouragement of foreign investment, decentralization of deci-

4. For a more detailed discussion of what needs to be done see: Gary H. Maybarduk (August 2001). *The Post Fidel Transition - Mitigating the Inevitable Disaster*. In *Cuba in Transition - Volume 11*. Association for the Study of the Cuban Economy, Washington, D.C. Available at <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*. In *Cuba in Transition - Volume 9*. Association for the Study of the Cuban Economy, Washington, D.C. Available at <http://lanic.utexas.edu/la/cb/cuba/asce/cuba9/maybar1.pdf>, and *Measures Not Taken: Issues for Today and Tomorrow*. Also available in the same issue at <http://lanic.utexas.edu/la/cb/cuba/asce/cuba9/maybar2.pdf>.

sion-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.

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 much harder to continue 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 policy making (Hugo Chavez 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.