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Hemisphere Volume 5 Number 3, Summer/Fall 1993

SPECIAL DOUBLE ISSUE

# Hemisphere

A MAGAZINE OF LATIN AMERICAN AND CARIBBEAN AFFAIRS

Summer/Fall 1993

Volume Five • Number Three

Seven Dollars

## Transformations: Cuba, the US, and the World

*Anthony P. Maingot, Carmelo Mesa-Lago,  
Archibald R. M. Ritter, Francisco León*

## Cuba: Voices from Within

*Cuban Conference of Bishops, Lázaro Barredo, Cintio Vitier,  
Luis Baez Delgado, Members of the Grupo de Meditación y  
Solidaridad Oscar Arnulfo Romero*

## Puerto Rico: The Plebiscite and the Future

*Juan M. García Passalacqua, Manuel Rodríguez-Orellana,  
Baltasar Corrada del Río, Marco Antonio Rigau*

Díaz-Briquets on Castro's Economic Maneuvering  
Tulchin on A New Understanding for Foreign Affairs  
Burton on Creole Culture and the Struggle with Assimilation  
O'Donnell on El Salvador's Electoral Test  
Van Cott on Development Challenges in Ecuador  
Rivera-Cira on Women Judges in Central America





# *Hemisphere*

A MAGAZINE OF LATIN AMERICAN AND CARIBBEAN AFFAIRS

Dear Reader:

Part of the excitement of studying Latin America and the Caribbean is the rapidity of change that characterizes these regions. In the Caribbean, two events are particularly noteworthy: Cuba's radical reevaluation of its economy and the plebiscite on political status held in Puerto Rico on November 14.

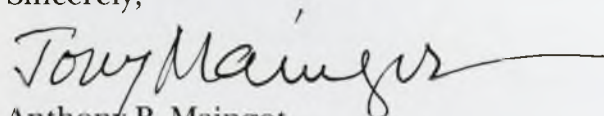
That plebiscite left the issue of Puerto Rico's status in limbo. Although the pro-statehood party was governing the island, that option received only 46.2% of the vote, compared with 48.4% for commonwealth and 4.4% for independence. It should come as no surprise, therefore, that calls for another plebiscite are already being heard. The articles in this issue, written with the 1993 plebiscite in mind, should serve as a solid introduction to and provide interesting comparisons for the next round.

In order to capture the complexity of both the Cuban and Puerto Rican cases, *Hemisphere* has published this special double issue (Summer/Fall 1993) for the price of one. We have gathered some of the finest talent from both islands to provide in-depth analysis of these events.

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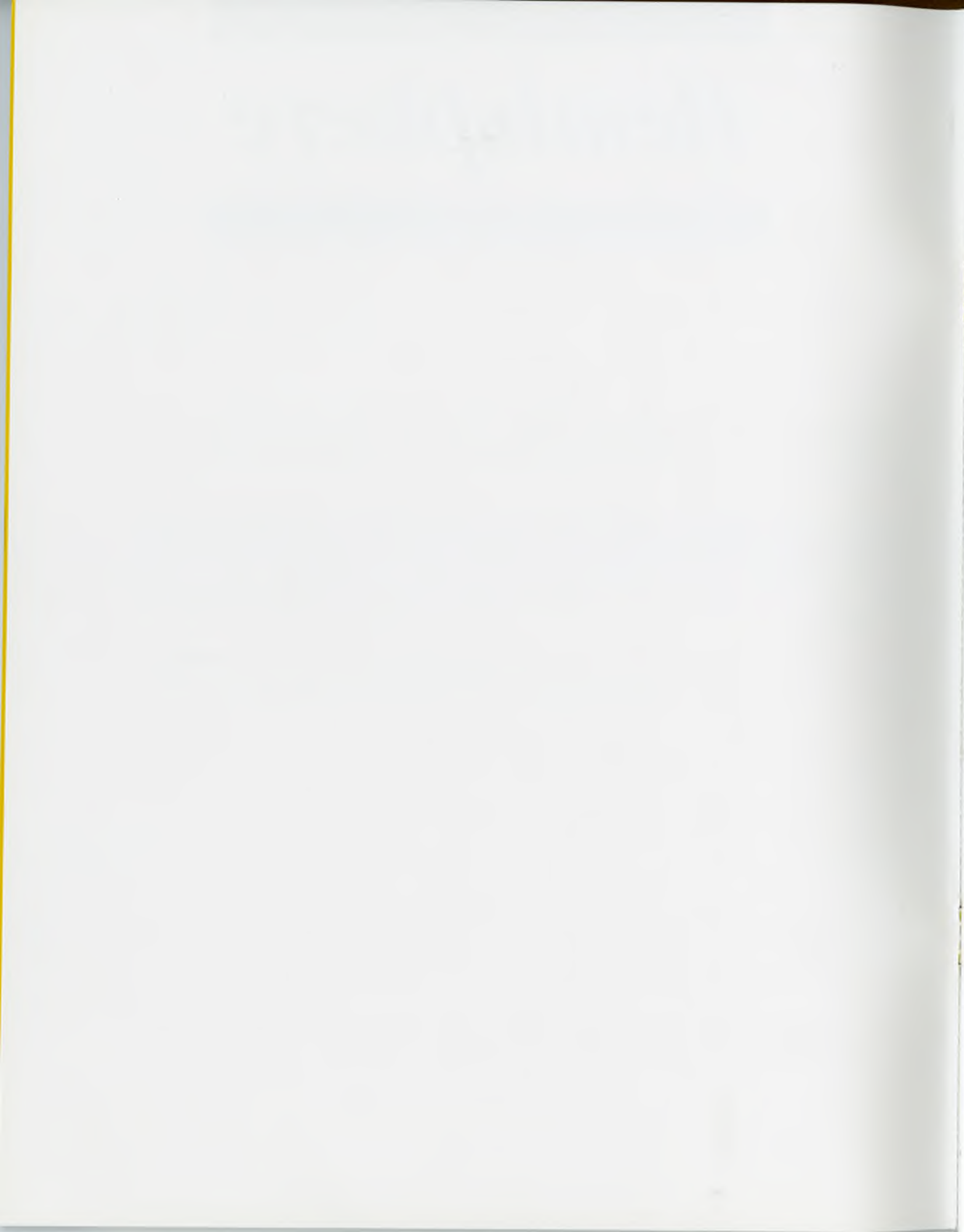
We are delighted to bring you this bonus issue.

Sincerely,



Anthony P. Maingot  
Editor

P.S. *Hemisphere* welcomes letters to the editor. Please address letters to: Managing Editor, *Hemisphere*, Latin American and Caribbean Center, Florida International University, University Park, Miami, FL 33199; Fax (305) 348-3593.





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Summer/Fall 1993

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## Voices from Within: Cuba Must Change

*A Historic Message from the Cuban Conference of Bishops*

**I**n the history of humankind, there has never been a lack of voices shouting, "Charity no! Justice!" But Jesus Christ told us that "if your justice is no better than that of the Pharisees, you will not enter into the Kingdom of Heaven, and that . . . if we do not have mercy, what awaits us is a trial without mercy."

### Justice and Charity

The struggle for justice is not a struggle in which one can remain neutral because that would be like taking the side of injustice. . . . But justice ends where charity begins, or better yet, charity precedes and forms part of justice because justice is incomplete without love. "An eye for an eye, and a tooth for a tooth" represents justice without love. . . .

### Love Overcomes Hatred

Hatred is not a constructive force. "When I despair," Gandhi said, "I remember that throughout history, truth and love have always won out." . . . From Martí, whose thinking had biblical underpinnings, come these phrases: "Sad is the fatherland (*patria*) which has hatred as support"; "love is the best law."

### The Mission of the Church

We, pastors of the Church, are not politicians. This does limit us, but it also enables us to base our speech on the riches the Lord bestowed

*Editor's Note: Edited excerpts from the pastoral message of the Cuban archbishops of Havana and Santiago, and nine bishops and auxiliary bishops elsewhere in Cuba, September 8, 1993.*

upon us: the Word of God . . . and the millenium of the Church.

It also enables us to speak about the only topic that pertains to us: the Church's contribution to the welfare of all. . . .

*We speak as Cubans  
to all Cubans, because  
we understand that  
Cuba's difficulties  
must be solved by all  
Cubans together.*

### To Whom We Address This Message

We speak to all . . . to the politicians . . . and to those who, inside or outside Cuba, aspire to enjoy an active participation in the nation's political life. We speak as Cubans to all Cubans, because we understand that Cuba's difficulties must be solved by all Cubans together.

### Our Relations with Other Countries

In the history of this century . . . we have had the sad experience of foreign intervention in our national affairs. . . . Facing difficulties bequeathed to us by previous governments, we sought a solution to those problems from those who had not created them and who, because they were far from our geographic location and removed from our cultural traditions, were ignorant of our condition. Political and military alliances were made, trade partners were changed, and so on.

It is not surprising, therefore, that some of our current obstacles arise from this close dependence, which led us to imitate structures and behavior models. From that [dependence] came the repercussions of the collapse of true socialism in Eastern Europe.

At the time, trapped in the middle of the "bloc politics" of recent decades, we have endured the US embargo, trade restrictions, isolation, threats, etc.

We know that we live in an interdependent world and that no country is sufficient unto itself. Along with all the nations of the region, we hope for Latin American integration . . . because poor countries ought to unite in order to overcome their negative dependence on rich countries.

But the solution to our problems should not come only from overseas [in the form of] foreign solidarity, foreign investment, foreign tourism, money from those who live abroad, etc. . . .

In the face of this situation, many seem to ease their suffering by moving abroad whenever possible. If they cannot leave, they fanatically idolize everything that is foreign, or simply evade reality by going into a kind of inner exile.

Today it is acknowledged that those Cubans who can help economically are precisely those we turned into foreigners. Would it not be better to admit that they also have the legitimate right and duty to contribute solutions because they are Cubans?

How can we turn to them and ask for their help if we don't first create a climate of reconciliation among all the children of the same people?



## Everything Can Be Solved among Cubans

It is up to us as Cubans to solve the problems that exist within our own country. We must ask ourselves seriously: Why is it that so many Cubans want to leave—and do leave—their homeland? . . . Why do professionals, workers, artists, priests, athletes, military people, activists, or ordinary people take advantage of any temporary trip . . . to remain abroad? . . . Martí said that “a man away from his fatherland is like a tree in the sea,” and that “there is something of the shipwrecked vessel in every foreign house.”

Why, finally, don't we try to solve our problems, together with all other Cubans, from our national perspective, without someone presuming to defend our interests or arbitrate our differences . . . with solutions that sometimes make us believe that the only ones who lose are Cuban nationals? “If your brother is in need and you close your heart to him, God's love is not in you” (1 Jn. 3:17).

No one should close his heart to the present situation in our homeland, or close his eyes to the sad reality that Cuba is in need. Things are not going well. This topic is discussed on the street among the people themselves. There is discontent, uncertainty, and despair in the population.

In the economic field, the shortage of basic material needs has reached a point of extreme gravity. The beautiful and fertile soil of our island, the “Pearl of the Antilles,” is no longer Mother Earth. She is now exhausted and incapable of feeding her children. . . .

We, the bishops of Cuba, reject any type of measure that, in the

guise of punishing the Cuban government, increases the difficulties that affect our people. We rejected this, at one time, in connection with the US embargo, and more recently, in connection with the so-called Torricelli law.

*Today it is acknowledged that those Cubans who can help economically are precisely those we turned into foreigners. Would it not be better to admit that they also have the legitimate right and duty to contribute solutions because they are Cubans?*

We also carried out historic negotiations directly with the US administration, aimed at ending the embargo, at least as it related to medicine. By those actions, we sought to encourage positive steps to solve the problems between the governments of the US and Cuba.

## Conditions for a Solution

It is not within our purview to outline the path to be followed by our nation's economy, but we do call for a tranquil and sincere debate on the economy and its direction,

with the participation of all Cubans. Rather than temporary emergency measures, it becomes imperative to develop a sharply outlined economic plan, capable of inspiring and mobilizing the energies of all the people. . . .

## Deterioration of the Moral Climate

Another aspect we must consider is the deterioration of the moral climate in our homeland. . . . The authorities are often disconcerted by the increase in delinquency: robbery, assaults, . . . prostitution and violence. . . .

The high rates of alcoholism and suicide reveal, among other factors, the onset of depression and escape from reality. . . .

## Values of Our Culture

Fundamental values of Cuban culture are being lost, [particularly] family values. . . . Premature marriage is a sign of reduced social balance. . . . More than half of those who marry separate a short time later, and there are many fatherless children. . . . The death rate of babies through abortion . . . is astonishing. . . .

## Political Aspects

It seems to us that, along with certain economic changes that are already under way, our national spirit would be uplifted by the elimination of certain ruling policies. . . .

- The exclusive and omnipresent nature of official ideology that identifies otherwise distinct concepts as being coterminous, such as “motherland and socialism,” “state and government,”

"authority and power," "legality and morality," "Cuban and revolutionary."

- The limitations imposed . . . on freedom itself. . . .
- The excessive control of the organs of state security, which sometimes enters even the private lives of individuals. . . .
- The high number of prisoners incarcerated for acts that in some cases should be decriminalized and in others should be reconsidered.
- Discrimination due to philosophical ideas, politics, or religious beliefs. . . .

We, the bishops of Cuba, aware that we are living in a transcendental period of history, have conducted our sacred ministry with the tact and delicacy that the situation required. . . . However, a healthy realism leads us to interpose ourselves. This might not please some, but it may lead us to the root of the

*We think that to reject dialogue is to lose the right to express one's own opinion. To accept dialogue is to contribute to an understanding among all Cubans.*

problems, and in that way alleviate the condition of our people. . . .

### Seeking New Paths

We bishops, like all our people, have followed closely the introduction of some changes in the nation's economic structure. . . .

Given the present living conditions of the Cuban people . . . it appears that if there are no real changes in the economic, political, and social sectors, the achievements attained after years of sacrifice could come to nought. . . .

### Dialogue: The Best Path

We would like to say something about dialogue, better yet, about the compromise achieved through dialogue. . . . The Holy Father John Paul II tells us that "complex problems are better solved through dialogue...rather than through struggles to destroy the adversary. . . ."

We must recognize that there are different viewpoints in Cuba concerning the country's situation and the possible solutions. . . . It is evident that the paths that lead to reconciliation and peace—such as dialogue—have undeniable popular support and beyond that, enjoy sympathy and prestige among the people.

### Dialogue among Cubans

The Cuban people . . . desire a frank, friendly, and free dialogue, where everyone expresses his feelings openly and cordially. A dialogue not aimed at settling scores . . . silencing the opponent, or reclaiming the past, but at permitting us to interact.

In Cuba there is a single party, a single press, a single radio, and a single television. But the dialogue we refer to must take into account the diversity of media and people. . . .

We realize there are many inside and outside Cuba who reject dialogue because their accumulated resentment is great . . . but we think that to reject dialogue is to lose the right to express one's own opinion. To accept dialogue is to contribute to an understanding among all Cubans that will lead to a peaceful and dignified future. ■

(Translated by Hemisphere staff)

## ¿QUÉ PASA EN AMÉRICA LATINA?

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# Cuban Responses to the Bishops

## An Unfounded Provocation against the Revolution

by **Lázaro Barredo**

*Trabajadores*, September 20, 1993

People who have never shared the patriotism and national identity of many devout Catholics, and who have always suffered trivial ordeals closer to the US than to the Cuban nation, are now trying to set themselves up, in a sibylline manner, as the protagonists in an alleged change in the apparent values of charity and solidarity.

It is too great a coincidence for these people, who claim to be enlightened and to constitute the nation's critical conscience but who have historically been accomplices of all the nation's enemies, to be advocating from their pulpits, as Catholic leaders, the euphemism known as a "call" to love, reconciliation, dialogue, and an allegedly ideal past. Such words are very attractive to those who are busy trying to make the Cuban revolution disappear from the face of the earth.

The US intelligence services could not have been given a greater bonus. . . . What goal is being pursued by contrasting that so-called love of God to love for the fatherland? A return to the decade of the sixties and deliberately ignoring the postulates of the Gospel? Contrasting God's principles with the principles of the revolution?

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*Editor's Note: Each declaration is based on edited excerpts of original statements gathered and translated by the Foreign Broadcast Information Service.*

Cuba, and the hierarchy knows this full well, is not closed to dialogue with the Cuban community abroad, and in fact, entertains such a dialogue with many political and business sectors that differ with some of our ideas but have no ties to the CIA or to the policy of blockade and aggression against our country. With whom do they wish us to

***It is the treachery of Cain. It is the knife rammed in the back at the most difficult, most decisive, and heroic moment in the history of Cuba. It is to join the imperialist idea of seeing Cuba immersed in blood.***

engage in dialogue? With the terrorist organizations that, under various façades and encouraged and supported by the most reactionary forces in American society, operate with total impunity and constantly violate God's commandments within that very community itself and against the Cuban people, including all believers? . . .

The Catholic hierarchy's strictly political incursion into the national reality gives one much food for thought. A report published in the past by *Time* magazine regarding a conspiracy by the Catholic

hierarchy of Poland and the CIA to destroy socialism in Poland cannot be overlooked. In Poland, however, the Catholic Church had played a historic role in the struggle against foreign domination during the long process of national liberation, a role very different from the role played in our country by the Catholic hierarchies. . . .

The Church hierarchy is not isolated from the outside world; it knows full well that, despite the extremely strong economic crisis the nation is going through, there is no other country in Latin America that exhibits greater political stability and social justice, the result of the heroism and support of a revolutionary population.

The hierarchy forgets that it was a tool of that policy when its members were the intermediaries of the US State Department in getting 15,000 children out of Cuba without their parents in the so-called "Peter Pan" program between 1960 and 1962. In any case, why point a finger at Cuba, which has one of the smallest emigrations to the US in comparison with other Latin American countries, when it is a fact that the US attracts the most immigrants because of the colossal economic resources that it has amassed through looting the world.

The step taken by the bishops in their so-called call to love is really a deliberate and unfounded provocation against the revolution. It is an attempt to undermine the needed unity and morale of our people. . . . It is the treachery of Cain. It is the knife rammed in the back at the most difficult, most decisive, and heroic moment in the history of Cuba. It is to join the imperialist idea of seeing Cuba immersed in blood. ■

## Survival First, then Dialogue

by *Cintio Vitier*

*Granma*, September 22, 1993

Although in the message the bishops insist they are not politicians and that the Church cannot have a political platform, in fact—and this is unobjectionable in itself—they make a political analysis and propose a political solution: a national dialogue. The bishops' document does not at all mention dependency on the US, but only the new dependency that, according to the bishops, led us to copying structures and behavioral models from Eastern Europe. Once the first dependency is obviated, all relationships with the second seem to be lost, and it is of course improper to differentiate their respective circumstances and features or admit the absolute sovereignty we have attained. Is it right to presuppose lack of love in social works, such as literacy drives, education, and free medial attention for all, among many others, that are without parallel in Latin America?

All of us know there is an increasing emigration from poor to wealthy countries. The Church apparently did not share this concern over the revolutionary emigration in the past century. A large number of Cubans, even those having the opportunity to stay abroad, return to Cuba to continue to experience all kinds of duress and difficulties in their homeland.

I wonder why the bishops' message longs for "that republic, corrupt to the very marrow, neo-colonial, and unfair, in an invitation to a dialogue." Regarding the "right of diversity," which the bishops advocate in their message, has the Church historically exercised this right? Was diversity practiced in the Spain of Franco, who was declared favorite son of the Church?

The Catholic Church kept "an enigmatic silence" during the popular demonstrations to support the

Pastors for Peace (who in the US declared a hunger strike to protest the blockade against Cuba).

The right for diversity must be preserved, but the right to survival as an independent nation must be preserved first. A country harassed to incredible extremes just cannot afford to have an irresponsible diversity and a theoretically perfect dialogue, just as the US did not have diversity and dialogue for more than 40 years after attaining independence, much less when the US faced the Nazi threat and closed ranks with the Soviet Union. ■

## Questioning the Bishops

by *Luis Baez Delgado*

*Juventud Rebelde*, September 26, 1993

In the name of what justice, or what love, can they ask us for reconciliation, dialogue, brotherhood with, not that other great mass of Cubans—whom, let it be said in passing, we did not turn into foreigners—but with traitors, murderers, and mercenaries?

***The right for diversity  
must be preserved, but  
the right to survival as  
an independent nation  
must be preserved first.***

The maneuver by the conference of Catholic bishops of Cuba is a betrayal because they betrayed the faith, and betrayed their Catholic brothers, in whose name they have spoken without prior consultation. They have negated their Catholic brothers in an attempt to use them; and, thanks to the position they hold as bishops, they are reducing their Catholic brothers to simple instruments of their premeditated treachery.

The bishops have betrayed the people because the people of Cuba do not today need shows put on by annexationists of the spirit or quitters by vocation; they need, rather, upright conduct by persons of firm and steadfast character, forged by sacrifice for the sake of progress sharing the Cuban people's present reality and fate.

Our position is clear: we follow the invincible commander of the solitary star. We are in favor of the independence of the fatherland. We are upright people. ■

## Dialogue: For Whom? With Whom?

*Members of the Grupo de Meditación y Solidaridad Oscar Arnulfo Romero*  
*Granma*, September 28, 1993

Cuba is a nation in the process of building, just 90 miles from a declared enemy, and it is facing the current setbacks because of changes in the world situation: the collapse of the socialist bloc and the renewal of the blockade as a means of drowning the hopes of a society of equality and social justice.

The bishops' message claims to be addressed to the politicians inside and outside Cuba who aspire to real participation in the national political life. In this connection, we wonder if the politicians referred to could possibly be the gentlemen from Alpha 66, the L Commandos, and the [Cuban-American National] Foundation?

It appears the bishops forgot a few considerations, such as the fact that, in Cuba, it is the population that maintains dialogue. The bishops stress that Cuba's current economic measures are necessary because of the difficulties we are going through. Yet they also stress that the measures are neither detrimental to the masses nor based on a neoliberal model, but are instead based on a search for a Cuban solution. ■



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## “Dollarization”: Castro’s Latest Economic Miracle?

by Sergio Díaz-Briquets

In what may be considered a major gamble to buttress the crumbling Cuban economy, Fidel Castro announced on July 26, 1993, that Cubans will be permitted to legally hold foreign currency for the first time in more than 30 years, and that more Cuban-Americans will be allowed to visit the island. The intent of these policies is to increase Cuba’s foreign exchange receipts and thus the country’s ability to import vital necessities. Castro’s hopes hinge in his assumption that Cuban-Americans will behave like emigrants from many other countries and remit substantial amounts of foreign currency to their relatives in Cuba. The expectation is that Cuba will receive a dollar windfall comparable to that benefiting other countries (like Mexico, the Dominican Republic, and El Salvador). In an ironic twist bred by this time of dire need, Castro expects the despised Cuban-American community—the worms of yore—to help save the revolution!

With a rapidly deteriorating economic situation made more poignant by the daily press reports depicting it, there can be no doubt that a worried émigré community will react just as Castro has anticipated. Havana, however, may be more optimistic than warranted regarding the expected dollar windfall. The volume of emigrant remittances is driven by a complex web of determinants, of which family obligations is but a single element. Additional important determinants

are the current or future fulfillments of economic and social expectations on the part of the emigrants, how long the emigrants have been abroad, and their income levels in the host country.

*Havana may be more optimistic than warranted regarding the expected dollar windfall. The volume of emigrant remittances is driven by a complex web of determinants, of which family obligations is but a single element.*

The latter variable is generally the principal determinant of the volume of remittances. High-income emigrants with more disposable income can send more money than emigrants earning low salaries. A further important variable is the chronological occurrence of the migration: the amount of remittances tends to be inversely associated with how long the emigrants have been abroad. This is a logical outcome since the need for remittances declines as family members join their relatives abroad, and as emigrant households gradually shift their allegiances and obliga-

tions away from the home to the host country. In the case of Cuban emigrants, this constellation of factors will tend to dampen the volume of remittances. By and large, the family ties to Cuba of Cuban-Americans who have been in the US for the longest time—and who, therefore, have the highest income—have been eroded by the passage of several decades. In most instances, immediate families have been reunited in the US (via the 1960s airlift, the Mariel sealoft, etc.). While this is not typical of recent emigrants—including many from the Mariel period and later—these recent arrivals are not as well prepared to succeed economically as those who preceded them.

With less to offer in terms of education and job skills, the more recent migrants reaching US shores have had to contend with the difficult economic conditions facing South Florida. The 1990s recession and immigration from many other Latin American countries led to intense labor market competition. As a result, many recent Cuban arrivals have been permanently relegated to minimum wage jobs. Even if they desired, these immigrants lack the capacity to send substantial amounts of dollars to their relatives in Cuba.

Two crucial considerations—the social and economic expectations of the emigrants themselves—seem to have been ignored by officials in Havana in their hopeful calculation of the flood of anticipated remittances. Cuban emigration differs from that of other Caribbean and Latin American countries in one important respect: until now, the concept of returning has been a distant possibility. Cuban emigrants have either chosen to sever

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*Sergio Díaz-Briquets is vice president of Casals and Associates, a consulting firm in Washington, DC.*



their links to Cuba permanently or had the government choose for them with its tightly controlled return migration policy. In the Latin American context, this is a unique feature of Cuban emigration (shared by emigration from many other former European and Asian totalitarian countries) with major implications for remittance flows.

Countless historical and contemporary studies suggest that nearly a third of all immigrants either return to their countries of birth, or expect to do so eventually. They do so for a variety of reasons. Many return because they cannot adapt to living conditions in destination countries, or simply because things have not gone as well in the destination country as they expected. Other migrants plan to retire in their home countries, or at least spend extended periods of time there to satisfy their cultural and social longings. Emigrants from

Mexico and many other countries, for example, are notorious for making considerable investments in what, by local standards, are considered to be luxurious dwellings, or to allocate important sums for the purchase of land (much of which is left idle). Some of these remittances are also used to start or sustain small family-run businesses.

The intent of these remittance investments is to ease the eventual permanent or temporary return to the home country. Some migrants use these investments as conspicuous consumption to demonstrate to nonmigrants the success they have attained abroad. In many countries these investments account for a very substantial amount of the remittances sent by migrants to their home countries. The emigration policies of the Cuban socialist government (and the system's foreclosing of the possibility of return) are inimical to remittance investment.

On the basis of these considerations, it appears the high hopes placed by Cuba's socialist authorities on migrants' remittances to help save the revolution are somewhat misplaced. While it can be safely anticipated that the émigré community will send an increasing amount of dollars to help their relatives in the besieged island, the amount will probably fall far short of Castro's wishes. This latest economic miracle concocted in Havana—fraught with political danger—is likely to be eventually downgraded, just as the role of biotechnology, yesterday's economic miracle, is currently minimized. Castro, however, will continue to daydream and is certain to come up with other purported miracle cures for the ailing Cuban economy. Of course, should there be a change in the political-economic system, Cuba could receive the full benefits of the considerable resources of the Cuban diaspora. ■

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# Créolité, Negritude, and Metropolis

by Richard D. E. Burton

In November 1992 the Martinican novelist Patrick Chamoiseau was awarded France's most prestigious literary prize—the Prix Goncourt—for his novel *Texaco*, which had been published in Paris two months earlier. In October of that year St. Lucian poet and dramatist Derek Walcott had received the Nobel Prize for Literature, while in November Spain's premier literary prize—the Cervantes—had been awarded to the reclusive 89-year-old Cuban poet, Dulce María Loynaz. The year 1992 was, in every way, a remarkable literary "treble" for the Caribbean.

Patrick Chamoiseau was born in Fort-de-France in 1953. *Texaco* was his third novel, following on *Chronique des sept misères* (Gallimard, 1986) and *Solibo Magnifique* (Gallimard, 1988). He is also the author of a play, *Manman Dlo contre la Fée Carabosse* (Editions Caribéennes, 1981); a collection of Creole folk stories for children, *Au temps de l'antan* (Hatier, 1988); and an autobiographical essay on his childhood in Fort-de-France, *Antan d'enfance* (Hatier, 1990). His "nonliterary" works include an essay on his native country entitled *Martinique* (Editions Hoa-qui, 1989) and a study of French West Indian literature, *Lettres créoles* (Hatier, 1991), written in conjunction with fellow novelist and countryman, Raphael Confiant.

Finally, Chamoiseau is co-author with Confiant and Creole linguist Jean Bernabé of the much debated

manifesto *Eloge de la Créolité* (Gallimard, 1989). The *Eloge* develops a theory of (French) West Indian identity based on linguistic and cultural, rather than racial, criteria. Unlike the hitherto dominant concept of negritude (but in common with the counter-theory of Antillanité elaborated by Edouard Glissant), it reduces emphasis on the retention of African cultural

***Creole culture and the Creole language that sustains it are fatally vulnerable when confronted by the modern world.***

forms in the Caribbean and stresses the creation, out of a multiplicity of cultural materials (European, African, Amerindian, Indian, Chinese, Lebanese), of an original and heterogeneous culture that the authors have named Créolité. In this conception, anyone who speaks Creole, whatever his or her racial identity, "qualifies" as West Indian. Moreover, Créolité maintains that West Indian culture is no more a set of African "survivals" than it is a mimetic copy of a European prototype. Rather, it stands as a wholly original and necessarily complex cultural creation: a mosaic rather than a single substance. As the *Eloge* puts it, "the very basis of our

identity is complexity." If negritude's figure of West Indian identity is a single tree rooted in the landscape, that of Créolité is a mangrove swamp: proliferating without beginning or end, having neither a single root nor an ultimate goal, forever in flux and containing within its myriad recesses a flora and fauna of infinite complexity and diversity. Créolité, in the words of the *Eloge*, is a mangrove of potentialities (*une mangrove de virtualités*).

## Exploration and Defense

Chamoiseau's novels are all explorations of the Creoleness of Martinique and resistance of that Creoleness against the multiple pressures of political, cultural, and, increasingly, linguistic assimilation by France and Frenchness. His first novel *Chronique des sept misères* traces the rise and fall of the central market in Fort-de-France through the history of a group of market porters—*djobeurs*. The porters are eventually made redundant, and their lives destroyed, by the regulation of the market and its gradual displacement by French-style supermarkets. His novel *Solibo Magnifique* relates the story of a Creole storyteller who is found mysteriously dead in the center of Fort-de-France on the last night of carnival. It transpires that he has somehow choked to death on his own (Creole) words, throttled by the very brilliance of his storytelling prowess.

In both novels, Creole culture and the Creole language that sustains it are shown to be not only immensely rich in their diversity and resourcefulness, but also fatally vulnerable when confronted by the modern world in the form of imported French goods, culture, and,

*Richard D. E. Burton teaches French in the School of African and Asian Studies at the University of Sussex, in Brighton, England.*



particularly, language. The novels are narrated in a highly original style, which switches between standard French and Creole and, in between, creates its own distinctive amalgam of French and Creole that local critics of Chamoiseau—who is far from being universally acclaimed in his native Martinique—sarcastically call “*français-banane*.” Poised in the interlectal space between French and Creole that has gradually opened up since Martinique was made a department of France in 1946, Chamoiseau’s *écriture* is perhaps the first that fully exploits the heteroglossic diversity and tensions of contemporary Martinique.

### Texaco

*Texaco* continues this exploration of the strengths and weaknesses of Créolité, though its frame of historical and cultural reference is far broader than that of the earlier novels. In its more than 400 pages, it attempts nothing less than a history—or, rather, a series of histories—of the dominated majority of Martinique from the slave epoch up to the present day. It focuses on the manifold tactics of opposition whereby that majority contrived to create a viable culture within the interstices of the very economic, political, and cultural system that oppresses them. For Chamoiseau, the true heroes of Créolité are not the maroons who fled the plantation for the *mornes* (hills) to create, or rather recreate, a would-be “African” culture in isolation. Rather, they are those slaves who, remaining on the plantation, succeeded by dint of resourcefulness, duplicity, and creative mimicry in forging a distinctive culture of their own

within the parameters of plantation life. To a considerable degree, they managed to manipulate the system of oppression to their own advantage in the manner prescribed by the well-known Creole proverb *debrouya pa péché*: it’s no sin to play the system—i.e. to turn one’s weakness into a (highly ambivalent) source of strength.



A Martinican woman in front of the statue of Josephine Beauharnais, the first empress of France

Creole culture is oppositional, improvisational, and mimetic in a creative, rather than a senile, fashion. Thus its capacity to create, under the very eye of the planter, the overseer of their later avatars, an intermediary space in which it was possible not merely to survive but even, within limits, to thrive. *Texaco* shows this oppositional culture at work, first on the slave plantation, and then—and herein lies its principal claim to originality—on the very site of French or *béké* (white Creole) power, the city: first St. Pierre and then, after that city’s

destruction by volcanic eruption in 1902, the island’s present capital and Chamoiseau’s own birthplace, Fort-de-France. In this way, *Texaco* redresses what one might call the rural bias of previous literature from Martinique, a trend most evident, perhaps, in the novels of Edouard Glissant. The focus of Chamoiseau’s work is neither on the plantation nor the *mornes* but on the city, the locus par excellence of assimilationism that, paradoxically, is also revealed as that area of life on Martinique where the oppositional practices of Créolité achieve their fullest expression. Ironically it is at the very core of the system of domination that the dominated enjoy the greatest freedom.

Through the eyes and words of an apparently ageless Martinican woman, Marie-Sophie Laborieux, *Texaco* recounts some three centuries of oppositional history. This history is divided into a series of phases titled by the type of construction material most popularly used to build dwelling places at the time: an “age of huts and shelters” for the earliest periods of French colonization (1635-80) when Carib influences were still strong; an “age of straw” (from the use of cane-leaves for roofing), running from the peak of the slave epoch through 1902; an “age of packing cases” from the destruction of St. Pierre to departmentalization in 1946; an “age of asbestos cement” from 1946 to 1964; and finally, a “concrete age,” which brings the story up to the present.

The novel’s title refers to an existing quarter of contemporary Fort-de-France built on a site once occupied by Texaco’s petroleum tanks. It is a quarter whose history,



from its origins as a shantytown in the 1950s to its eventual "domestication" or "stabilization" (*"durcification"*) in the 1980s, occupies the main bulk of Chamoiseau's eponymous novel. Squeezed on a narrow coastal site between the boys' and the girls' *lycées*—an interstitial, rather than a peripheral, domain—Texaco embodies the improvisatory genius of Créolité at its best: it is not a trivial detail that Chamoiseau, taking his lead from an influential study by fellow countryman and urbanist Serge Letchimy, describes the quarter as *une ville-mangrove*. Texaco is both part of, and apart from, the established city of Fort-de-France: that fortress of Frenchness referred to in the novel as *L'En-ville*. Texaco's inhabitants ultimately depend on the city for such employment as they can find and, above all, for social security payments. The life that residents evolve, and especially the physical setting they painstakingly fashion for it, is at every point opposed to the rectilinear patterns of the assimilated capital: Texaco is to *L'En-ville* as romantic or baroque is to (pseudo-) classical, as *mornes* or mangrove to plantation, as Creole to French, as parochial authenticity to an alienated and alienating modernity and universalism.

In a series of interrelated episodes, Chamoiseau recounts the determination and inventiveness with which the inhabitants of Texaco defend their haven of Créolité against attempts by the local *mairie*, sometimes backed by police and paramilitary forces from France, to remove or, at the very least, to regulate and reform it: *Texaco* is not calculated to endear the author to Aime Cesaïre, mayor of Fort-de-France, or to supporters of his Parti Progressiste Martiniquais!

Finally, though, Texaco does succumb, not to the bulldozer or the eviction order, but to the more insidious standardization of uniform concrete dwellings. Though they are being progressively supplanted, the old ad hoc structures, made of this and that, possess an

indefinable identity in their ramshackle disorderliness, in which Chamoiseau locates the essence of Créolité. By the time of Marie-Sophie's death in 1989, Texaco has, in large part *assimilated* into *L'En-ville*. Its "mangrove of potentialities" is drained of life as it inexorably succumbs to death by "concretization" (*"bétonisation"*). Like *Chronique de sept misères* and *Solibo Magnifique* before it, *Texaco* both celebrates the diversity of Créolité and shows its losing battle against the death-bringing homogeneities of what Edouard Glissant—one of the dedicatees of the novel—calls the "Same" (*"le Même"*). By the end of the novel, the particular is well on the way towards absorption in the pseudo-universal, and Frenchness all but reigns supreme.

***Chamoiseau's celebration of the popular culture of the periphery (Martinique) has found its warmest supporters amongst intellectual elites of the center (Paris).***

Like Chamoiseau's first two novels, *Texaco* might be described as an ethnographic novel in which the author, or "*marqueur de paroles*," as Chamoiseau prefers to style himself, transcribes (in standard French or something close to it) what has been said to him (normally in Creole) by a host of informants whom, tape recorder in hand, he has interviewed over a number of years prior to embarking on the actual redaction of his text: the novel is written largely in standard French, but the alert reader will sense beneath the or-

dered structures of its syntax something of the rhythms and patterns of the Creole speech on which it is based. Merely to evoke the novel's overt themes gives but a poor idea of its extraordinary opulence and density: the natural, cultural, and linguistic life it sustains is as complex and indefinable as the mangrove swamp it celebrates.

### The Center-Periphery Politics of Criticism

The novel has perhaps been more enthusiastically received in France than in Martinique, where its defense and illustration of an unfavored quarter has been seen by some, perhaps correctly, as betokening a certain *nostalgie de la boue* or, at the very least, a certain romanticism. Furthermore, its use of a creolized French, though less marked than in the earlier novels, is criticized both by supporters of Francophonie and by die-hard defenders of "pure" basilectal Creole as a concession to, and legitimization of, the "bastardized" mélange of French and Creole that is now the standard medium of daily exchange in assimilated and, increasingly, de-creolized Martinique. Here, perhaps, is the final paradox of Chamoiseau's achievement in winning the Prix Goncourt. His celebration of the popular culture of the periphery (Martinique) has found its warmest supporters amongst intellectual elites of the center (Paris), which thereby insidiously assimilates the "Different" into the "Same" by its very enthusiasm, praising the author for having "enriched" the French language and French literature through his generous transmutations of Creole and Créolité.

It may be, therefore, that Chamoiseau's success will result in its own neutralization or "recuperation" by the universal (or pseudo-universal) that is its greatest enemy. Chamoiseau's future novels, along with those of his close associate Raphaël Confiant, will show how far this fear is justified. ■

# El Salvador: The Electoral Test

by Madalene T. O'Donnell

**T**he campaign for the 1994 elections has begun in El Salvador. These elections will be the first held since the end of the 12-year civil war, and while many Salvadorans are trying to put hatred behind them and consolidate the gains made toward peace, others are whipping up campaign fever.

As the level of campaign rhetoric rises, the peace process is entering a critical phase. Reforms set in motion with the signing of the peace accords in January 1992 are only now touching key institutions such as the armed forces and the courts. A report released by a UN-sponsored "Truth Commission" in March 1993 brought many of these issues to a head.

## The Truth Commission

"We didn't carry out a struggle for 20 years in order to run for public office. We did it to transform the country," claims Joaquín Villalobos, one of the most charismatic leaders of the Frente Farabundo Martí para la Liberación Nacional (FMLN)—once El Salvador's guerrilla army and now a newly legalized political party that will run candidates in the coming elections. Villalobos, however, has been banned from seeking public office for 10 years.

On March 15, 1993, a truth commission established by the Salvadoran peace accords, and headed by three foreign dignitaries, held

Villalobos and five other FMLN leaders responsible for the assassination of 11 rural mayors during the war and recommended the 10-year ban. In addition to the six FMLN leaders, 40 Salvadoran military officers were banned from public office for their involvement in human rights violations. Villalobos has indicated that he will accept the ban if others do and if the government implements some of the report's stiff recommendations for the judicial system. Meanwhile, the conservative Partido de Conciliación Nacional has announced as its presidential candidate one of the 40 military officers banned by the report, Gen. Juan Rafael Bustillo.

*The legitimacy of the coming elections will be largely determined by the extent to which all sides can work together in the time that remains to promote massive voter participation.*

The Truth Commission was charged with reviewing the most egregious acts of violence committed during the war. In most cases, it uncovered little new information but confirmed what many Salvadorans had always believed: that the armed forces were responsible for the great majority of abuses (some 85%), including massacres of more than 500 men, women, and children at the Sumpul

River and the town of El Mozote; that the Guardia Nacional murdered four American nuns on the side of a highway in 1980; that Roberto D'Aubisson, founder of the ruling Alianza Republicana Nacionalista (ARENA), paid assassins to kill Archbishop Oscar Romero as he said mass in 1980; and that the FMLN murdered four off-duty US Marines in 1985 and two wounded US servicemen in 1991.

The report confirmed that members of the army killed six Jesuit priests and their housekeeper and her daughter in 1989. Mid-level military officers were tried and convicted of the crime in 1991, but the Truth Commission established for the first time that they carried out the killings under explicit orders from the military high command. Specifically, the report finds that Colonel René Emilio Ponce "gave the order to kill Father Ignacio Ellacuría and leave no witnesses." Since reportedly giving that order, Ponce was promoted to general and named defense minister. Three days before the Truth Commission report was released, he offered his resignation. Four months later he finally left his post and was replaced by Col. Humberto Corado Figueroa.

The Truth Commission recommended the 10-year political ban rather than legal proceedings against those named in the report because, it claimed, "no administration of justice exists [in El Salvador] that meets the minimal requisites of objectivity and impartiality." In banning individuals from public office, however, the Truth Commission is touching one of the most critical nerves in the country—the 1994 elections. Villalobos claims the purpose of his

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*Madalene T. O'Donnell works for the "Hemisphere Initiatives" project in El Salvador, which has published a series of reports on the country's peace accords and electoral process.*



20-year struggle was not to run for political office, but he knows that, unless his party performs well in the 1994 elections and demonstrates credible political strength, the FMLN may lose at the polling place what it gained at the negotiating table.

## Reforms under the Peace Accords

What the FMLN gained—at least on paper—has been called a “negotiated revolution.” The comprehensive peace accords signed by the government and the FMLN in January 1992 include provisions to end the military conflict, impose civilian controls over the military, revamp the judicial system, and, through a series of other reforms, institutionalize the peace.

In practice, the record has been mixed. On several issues, the government has backed away from, ignored, or openly opposed concessions it made during the negotiations. The FMLN, for its part, maintained secret caches of arms in Nicaragua, including surface-to-air missiles, while claiming to have disarmed entirely.

Despite these failings, however, there have been concrete advances. The military conflict ended in February 1992 and the guerrilla army was demobilized over the following 11 months. At the end of this process, the FMLN was legalized as a political party.

Many provisions of the accords are aimed at reversing 60 years of domination by the armed forces. The UN-sponsored Ad Hoc Commission, composed of three Salvadorans, reviewed the records of Salvadoran officers and recommended 103 for transfer or dismissal. The US has frozen \$11 million in military assistance pending full implementation of the Ad Hoc Commission report, and General Ponce referred to these “pressures” as he tendered his resignation. Ponce is reportedly named by the Ad Hoc Commission, although its report has never been made pub-

lic. On July 1, 1993, nine months after the original deadline, President Alfredo Cristiani announced changes in the military high command to remove the last of the officers named in the Ad Hoc Commission report, although 15 will remain on the payroll through the end of the year.

*One likely scenario is that the right will win the presidency and the left and center will control the assembly.*

Reforms to the constitution, ratified in January 1992 as part of the peace process, limit the role of the armed forces to territorial defense and eliminate their responsibility for public security. Two military security forces formerly charged with public order, the Policía de Hacienda and the Guardia Nacional, no longer exist. Five elite battalions were disbanded, among them the notorious Batallón Atlacatl that carried out the El Mozote massacre and the Jesuit murders. Manpower levels of the military as a whole have fallen by 40-50%.

The accords create a new national civilian police, trained by a new police academy, to maintain order. Yet the government has not given the police sufficient resources and this has discouraged international donors as well. The armed forces stripped the preexisting national police of almost every vehicle and most of the infrastructure, leaving very little for the new force to inherit. In addition, the academy's first class graduated in the face of tremendous anxiety about a rise in violent crime. Instead of accelerating deployment of the civilian police, however, the government has chosen to reinsert the armed forces into their former security role, initiating military pa-

trols throughout the country as a deterrent to crime. Despite many delays and few resources, the Policía Nacional Civil seems to be successfully operating in four of the country's 14 departments.

Judicial reforms, outlined in the accords and passed by the Asamblea Legislativa, sought to make the judiciary more independent by modifying the way in which judges at all levels are appointed. Nonetheless, the judicial system, and particularly the courts, continues to come under fire. The Truth Commission has called for the immediate resignation of all members of the supreme court, arguing that “the judicial branch continues under the direction of the same people whose failings created many of the problems Salvadorans are now trying to overcome.”

The report charges the president of the supreme court, Mauricio Gutiérrez Castro, with “unprofessional conduct” and obstruction of several human rights investigations. It further requests that he step down voluntarily. In making this request, the Truth Commission has taken on one of the most powerful officials in the country, once touted as a presidential candidate for the ARENA party. As president he not only presides over the supreme court but controls the promotion and salaries of judges and the accreditation of lawyers throughout the country. “Only God can remove me from this post,” he announced soon after the report was released.

The Asamblea Legislativa unanimously passed a new electoral code that, despite some flaws, appears to have the support of all political parties, including the FMLN. The ARENA party, which dominates the Asamblea Legislativa, made a clear attempt to reach consensus on this issue. As one ARENA official explained, “Our objective was to produce an electoral code that could not be blamed for the success or failure of any party in the next elections.” Enforcement of some of the key provisions, however, will be



very difficult. Television stations, for example, are strongly opposed to provisions that require equal media access at equal rates for all parties.

## The March Elections

The 1994 elections are seen as the culmination of the peace process and its reforms, and thus as the point by which a relatively fair playing field should be in place for all sectors of society. The hope was that by March 1994 the civilian police would be deployed across the country, but this goal will not be met.

One FMLN leader remarked: "For many years, we were outside the system; that is true. But we were always inside the society." The elections will measure, imperfectly but in stark percentages, what portion of society supports the FMLN. Political parties will have to produce votes or accept seats on the sidelines. To raise the stakes still higher, elections at all three levels—local, legislative, and presidential—coincide in 1994, something that happens only once every 15 years.

The main issues of the campaign are already emerging: the economy, crime, and the provision of basic services such as drinking water. The large majority of Salvadorans still live in extreme poverty. They need economic opportunity.

The left, right, and center currently face critical choices about electoral strategy. The left and its most important component, the FMLN, are seriously divided. Rubén Zamora will be the presidential candidate for the *Convergencia Democrática*: a coalition of three center-left parties. The FMLN has endorsed Zamora's candidacy as well, but only after a series of delays and over the opposition of two of the five groups that comprise the FMLN. Divisions within the left may also cause the FMLN and the *Convergencia Democrática* to run candidates against each other at the legislative level, a strategy likely

to reduce their total number of seats in the assembly.

Two of the five FMLN factions supported Christian Democrat Abraham Rodríguez, but his candidacy was largely derailed when he lost his party's nomination to Fidel Chávez Mena. As general secretary of the Christian Democrats, Chávez Mena has been plagued by deep divisions within his party. He ran for the presidency in 1989, losing to Cristiani, but continues to enjoy the support of many loyal party members. He must decide if the Christian Democrats will participate in the elections alone—as he maintains they will—or enter into an informal pact with the left. The Christian Democrats are unlikely to win the presidency alone, but they might lose their claim to the center—and the conservative portion of their base—if they ally with the left.

*If the interests that mobilize against the government can find expression within the system, it may be the beginning of real democracy.*

On the right, one ARENA deputy stated that his party fully expects the 1994 elections to be "all parties against ARENA." San Salvador mayor Armando Calderón Sol will be the ARENA candidate. He was chosen over more moderate, less ideological candidates—like businessman Roberto Murray Mesa—who might have attracted broader support outside the party, but caused greater divisions within it. Some ARENA sectors are reportedly unhappy that the party did not take the bold step of seeking a more charismatic candidate. Nonetheless, ARENA knows how to run national campaigns and has the resources to do it well. Unless a

clear alternative to ARENA soon emerges, Calderón Sol and his party organization will be difficult to beat.

The months leading up to the March elections will be brutal and divisive. Already there are reports of both party activists and members of the military being kidnapped, or simply disappearing. The Tribunal Supremo Electoral, dominated by parties on the right and deeply politicized, has finally approved a national voter registration plan—four months short of the registration deadline. The legitimacy of the coming elections will be largely determined by the extent to which the Tribunal and all political parties can work together in the time that remains to promote massive voter participation.

If the right wins in 1994, it will face a well-organized left—possibly with a majority in the *Asamblea Legislativa*—prepared to defend recent reforms and supported by popular organizations. If the left wins, it will face a business sector and an army capable of defending their own interests and controlling key resources in the country. A centrist government will have to carefully seek out more powerful allies and construct a coalition that will hold. One likely scenario is that the right will win the presidency and the left and center will control the assembly, forcing the parties to work together to avoid gridlock.

The 1994 elections will produce the first post-war government in El Salvador. Whatever the government, however, if the interests that mobilize against it can find expression within the system, it may be the beginning of real democracy in El Salvador. It is critical the next president of El Salvador bear in mind that the civil war did not end and the peace accords were not negotiated because one side defeated the other, but rather because each side finally recognized the strength of the other; there was no winner. In 1994 there will be a winner and his or her task will be to govern a still divided country. ■

# Ecuador: Is Modernization Enough?

by Donna Lee Van Cott

**D**uring President Sixto Durán Ballén's visit to Washington in March 1993, President Bill Clinton cited Ecuador as a model of democracy in Latin America and praised its economic reform program. But the Durán Ballén government's reform plan, as set forth in the proposed Ley de Modernización del Estado, which now dominates political debate in the country, falls short on at least one critical score: it fails to address significant problems in Ecuadoran democracy and economic development caused by the exclusion of Ecuador's large rural population—particularly Ecuador's approximately 35% ethnic Indian population.

Ecuador's Ley de Modernización del Estado follows the standard formula used by its neighbors to increase the efficiency of the state and the economy. It would streamline the bureaucracy, privatize national industries, eliminate monopolies, and dismantle cumbersome regulations. One flaw in the plan, which has been advertised as an effort to decentralize the government, is that decisionmaking power will be further concentrated in the hands of the executive, and away from congress, provincial officials, and unions, as these groups are cut out of the revenue food chain.

The plan is opposed by several of the major political parties, in part because they stand to lose

their powers of patronage. The most strident criticism of the law is voiced by congressional president Carlos Vallejo, who has called for a national plebiscite and an open debate over the merits of the program, an idea seconded by the labor sector, which faces the loss of thousands of state jobs. Details of the plan have not been published, creating an atmosphere of speculation and mistrust.

***The government's reform plan fails to address significant problems; it excludes Ecuador's large rural population, particularly ethnic Indians.***

But not all the criticisms are self-interested. The Ley de Modernización del Estado fails to do what highly centralized economies like Ecuador's must. It fails to "democratize" the economy; that is, it fails to allow local preferences and demands to flow to the centralized state agencies responsible for satisfying them.

## The Development Quagmire

Economic development as practiced in Ecuador—and in the rest of Latin America—is already

marked by a lack of consultation between government and rural communities. "*Nos imponen—no más*" ("They impose them on us—that's all"), explains Mariano Curicama, president of the Consejo Municipal de Guamote in the heavily Indian Chimborazo province. Curicama is an example of the increased political presence of indigenous Ecuadorans since the nationwide indigenous uprising of 1990. In many areas, strong local indigenous organizations and persistence have combined to demand and receive the attention of the distant Quito government. In exchange for an endorsement of Durán Ballén's candidacy in 1992, Curicama's indigenous organization received assurances from the future president of attention to the development and infrastructure needs of the area's 30,000 Indians.

Since taking office in May 1992, Curicama has been able to involve the community in the planning and implementation of state-sponsored development plans for the area—something unheard of in the majority of Ecuador's indigenous *municipios*, where all plans are imposed from above and 70-80% of funds earmarked for community projects are absorbed by Ecuador's central administrative apparatus. According to Curicama, the habitual lack of community participation in the design of state development projects ensured the continued poverty of the region. By directly contacting the US administration and the Inter-American Development Bank in Washington, he has been able to force the Durán Ballén administration to deliver funds reserved for his community that have, in the past, been diverted.

*Donna Lee Van Cott is an associate at the Inter-American Dialogue, a Washington-based public policy center focusing on inter-American and Latin American issues.*



The majority of indigenous communities have not been so fortunate. Carlos Moreno, head of COMUNIDEC, an Ecuadoran not-for-profit organization that manages grassroots development projects for international organizations, is all too familiar with the problem. He explains how centrally generated development plans are launched without consulting the community affected or even calculating what the needs of the community are. They are implemented without participation of the local population or local leadership. For Ecuador's indigenous population, the absence of community participation reflects the belief of government officials that Indians are incapable of contributing to their own development.

Moreno's long experience with development projects in indigenous communities has proven that community planning and participation are the key to the success of any project. Indigenous leaders—like Curicama and Miguel Puwainchir of the Shuar Federation—state time and again that projects imposed and implemented by outsiders receive little enthusiasm from the local population. Due to the lack of community participation and poor planning, according to Moreno, the few social investment projects undertaken in these austere times are doomed to failure or irrelevance.

### The Armed Forces—Exploiting the Development Vacuum

Though the central government has not responded to indigenous demands for participation in development initiatives, the Ecuadoran military has. Stunned by the depth of rage in the countryside manifested by the 1990 nationwide indigenous uprising, the military has moved independently of the elected government to increase its presence in the provinces, especially in the Amazon, where the military provides most public services—and where many retired offi-

cers have large landholdings. The armed forces have also worked on infrastructure projects with local indigenous leaders, such as Puwainchir's Shuar Federation. The military's attention has satisfied some of the Indians' material demands, but in doing so has perpetuated the dependency of *campesino* and indigenous communities on the goodwill of a powerful *patrón*.



Military blockade in Ambato during the Columbus quincentennial celebration (1992)

The Durán Ballén administration can address both the objections to its Ley de Modernización del Estado and the frustration of Ecuador's diverse Indian nationalities by opening a debate on the country's economic future. He could also borrow two important themes from the Plan Nacional de Desarrollo para las Poblaciones Indígenas being developed by his own Oficina de Asuntos Indígenas de la Presidencia de la República. That plan was devised by Ecuador's first indigenous director of the office—José Quimbo, an Otavaleño lawyer. The plan incorporates the active local participation into the planning, implementation, and evaluation of economic development projects—a proven way to make projects more efficient and

politically popular. Moreover, it concentrates resources on Ecuador's most intractable economic and political problem: the poverty and isolation of its Indian population. According to Quito's *El Comercio*, scarcely 1% of social and economic spending is directed toward this population.

Curicama hopes Quimbo's participatory development programs receive substantial support and resources from the state: "We hope he does not fail; that we don't have to wait for three more years, or the next administration. Hopefully we will not have to paralyze the country again to get the government's attention."

In mid-June 1993 the Confederación de Nacionalidades Indígenas de Ecuador (CONAIE) joined urban unions to protest the government's refusal to consider an alternative agrarian policy. Demonstrations were called off, however, when the government and congress agreed to discuss the Indians' plan. But not before Antonio Lanchimba—a CONAIE activist from Imbabura—was killed in a car accident that witnesses blame on the military. Several other CONAIE leaders were beaten and jailed.

The government was furious that the protests coincided with the Copa América soccer championship, hosted by Ecuador, which had drawn the international press to Quito. While most Ecuadorans were enthralled by the national team's semifinal match, congress passed the first 6 of 63 articles of the Ley de Modernización del Estado.

The leaner Ecuadoran state envisioned by the Ley de Modernización del Estado is a worthwhile goal, but it alone will not enable Ecuador to measure up to Clinton's praise or provide an example for other modernizing Latin American nations. To do that, Durán Ballén must open a dialogue on the country's economic future and seriously focus on the needs of the nation's long-neglected Indian communities. ■



# Women Judges in Central America

by Tirza Rivera-Cira

**N**umerous international declarations emphasize that gaining equal access to decisionmaking positions is a key to women's struggle for equality. In Central America, however, there are very few women in such positions. In the political sphere, only 15% of candidates for elected office are women, which, in turn, yields a limited number of parliamentary representatives (10%) and local government officials (between 8 and 28%). In the economic sphere, only 20% of all union leaders are women. It is truly surprising, then, to find that 23% of Central America's judges are women. Indeed, women account for more than a third of the judges in Costa Rica, Panama, and Nicaragua.

This notable group of Central American women has advanced dramatically in a major position of influence traditionally dominated by men. Every day, these women issue decisions that have substantial impact on individuals and communities. In a region where less than 3% of women ever acquire a university education, simply being both a lawyer and a woman is a uniquely privileged position. Nevertheless, the persistence of gender inequality has kept women judges, for the most part, in the lower levels of the judicial hierarchy.

A 1991 study profiling women judges shows they are relatively young (40-44 years old) and tend to come from small, middle-class

families where the mother's educational level was higher than the father's. Commonly they are the oldest of three children. Their initial education was in public schools, and very few of them have done postgraduate studies after law school. Most were married in their twenties and have three children (between 14 and 25 years old). Most have served some 10 years in the judiciary.

*Though ever more Central American women are opting for the judiciary, once in the system, they encounter more stumbling blocks to advancement than do their male colleagues. Significant historical and cultural obstacles to women remain.*

Access to the judiciary in Central America has been fostered by the increasing number of women studying and practicing law. Today, 50% of Central America's law students and 40% of its law school graduating classes are women. While women lawyers are a growing force in the Central American labor market, most of them still have problems obtaining employ-

ment in private law firms. The judiciary thus emerges as an attractive employment option, especially as low judicial salaries diminish the interest of male lawyers. The issue of equal access aside, the terms of judicial employment are themselves attractive to women lawyers. Women judges have cited job and salary stability, fixed work schedules (which allow time for family responsibilities), and potential benefits (such as maternity and sick leaves and scholarship possibilities) as incentives to seeking employment in the judiciary.

Though ever more Central American women are opting for the judiciary, once in the system, they encounter more stumbling blocks to advancement than do their male colleagues. Significant historical and cultural obstacles to women remain. Pertinent to this problem is the fact that women have only been enfranchised as voters, and therefore eligible for nomination or election to the judiciary, for about 40 years.

The region's first women judges were restricted to courts dealing with traditionally "feminine problems," such as family and children. The first handful of Central American women named to supreme courts only took office in the early 1980s. Women sitting on supreme courts continue to be isolated symbols of progress whose decisions have little impact beyond the immediate judicial sphere.

Supreme courts in Central America tend to have the fewest women as sitting judges. Currently there are two women sitting on the supreme courts of Costa Rica, Guatemala, and Panama, one each in Honduras and Nicaragua, and none in El Salvador. These appoint-

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*Tirza Rivera-Cira, former deputy director of the Center for the Administration of Justice at Florida International University, is a Costa Rican legal researcher.*



ments, however, are the result of party politics rather than organized pressure to place women in higher judicial positions. Only one woman has ever presided over a supreme court in the region. In that case, Marisol Reyes, who became president of the Panamanian supreme court in 1984, was heavily criticized because of her personal friendship with then-dictator, Gen. Manuel Noriega.

Within the judiciaries of Central America, the formal mechanisms of selection and advancement are gender-neutral, but de facto discrimination blocks women from promotion. A basic disadvantage is that selection boards are usually composed entirely of men. Discrimination by men is not the only obstacle, however. Women judges may simply be more reluctant than their male colleagues to compete for higher positions because of cultural conditioning: traditional stereotypes of female inferiority and insecurity can lead women to exclude themselves from consideration for advancement.

Women judges have suffered in the past for their lack of political organization. Realization of this, however, has inspired some creative action, as women judges in Costa Rica, El Salvador, and Guatemala have recently established their own political associations. These new associations have decided not only to promote the professional advancement of their members, but also to work toward a general improvement in the independence, accessibility, and accountability of Central American judiciaries.

In the final analysis, being a woman on the bench may prove to be an advantage. The prevailing perception in Central America appears to be that women judges are more honest and less susceptible to corruption than their male colleagues, and that they are more concerned than their male colleagues about other problems in the judicial system. A woman's attitude about her role as a judge also

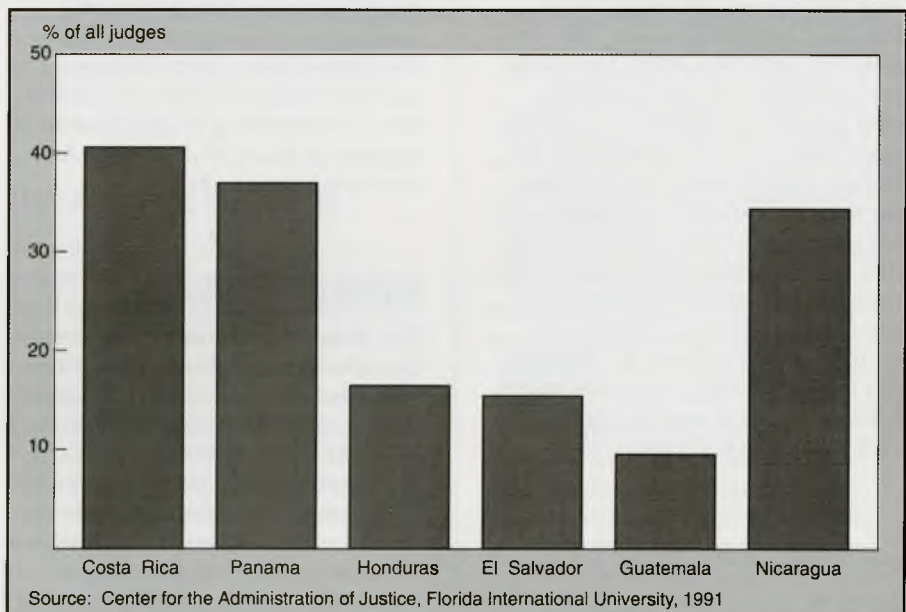
***The emergence of new opportunities for women in Central America is crucial for the reform of the region's judiciary, which can play a strategic part in the wider process of democratization.***

differs considerably from that of her male counterpart. In listing their personal reasons for becoming judges, the most frequently cited responses from women were "the possibility of serving others" and "the possibility of making a better society." In contrast, male judges tended to cite "the possibility of administering justice and applying the law," as well as "the prestige" and "social status" attached to being a judge.

This difference in viewpoints between male and female judges indicates that the enhanced participation of women in national judiciaries will make the exercise of justice more democratic. Increased formal and informal exchange between female and male judges will mutually educate and sensitize them to the urgent problems of their societies. Education of judges and judicial personnel to matters of gender equity in the courts is particularly important; studies indicate that Central American women are often shortchanged in cases of divorce, child care, domestic violence, and sexual offenses because of the stereotypes of women held by male judges.

The emergence of new opportunities for women in Central America is crucial for the reform of the region's judiciary, which can play a strategic part in the wider process of democratization. While many women judges have acted individually to improve the administration of justice, as a politically organized force they will achieve far more for both women and the cause of justice in general. ■

## WOMEN IN THE JUDICIARY



## Insider briefs on people and institutions shaping Latin American and Caribbean affairs

### Cuba on My Mind

A 1993 poll of Cuban-Americans living in Miami revealed that 80% favor maintaining the current policy of no diplomatic relations and no trade with Cuba and 60% favor a US invasion of Cuba. Conducted by Florida International University's Institute for Public Opinion and Research for the Cuban Research Institute, the poll sampled the opinions of 601 Cuban-Americans in Dade County. For more information, contact CRI at (305) 348-1991.

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### Fast Food—But Don't Forget the Chorizo

Franchising is one of Latin America's fastest growing new business opportunities. McDonald's already has 227 stores throughout the region, including 100 in Brazil and 65 in Mexico. KFC is close behind with 203 stores, including 10 in Panama. Burger King has half that number, with 105. Even Taco Bell is beginning to show a presence, with 3 stores in Mexico, 3 in Guatemala, and 13 in all throughout the region. Asked about the growing presence of fast-food operations in his country, the Mexican manager of a more traditional restaurant dismissed the potential challenge of the fast-food shops: "Mexico is a country of street food. If I'm looking for something cheap and quick, I'll have a chorizo on the corner . . ." (*US/Latin Trade*, October 1993).

*Edited by Mark B. Rosenberg*

### IDB Going Back to Its Roots

One of the speakers in the Inter-American Development Bank's Cultural Center lecture series last summer was Benito Peralta, a Pai-Pai Indian from Baja California. The 76-year-old visitor told the tale of a giant monster named Jalkutat, who lived in the rocks near a waterfall outside the village of Jaktbjol, Baja California. The narrative is actually an allegory about the Spanish conquest of Mexico's native peoples. Given all the concern about how the IDB develops its projects, one might wonder what the IDB really intended with Don Benito's visit.

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### Come Back to Jamaica

A large new investment in Jamaica may help that country to improve the visibility of one of its major products in the US market. Guinness PLC purchased 51% of Desnoes & Geddes, a 75-year-old Jamaica-based company that produces, among other products, Jamaica's Red Stripe lager beer. Guinness paid \$62 million in the acquisition, which is intended to help Guinness expand its share of the North American beverage market.

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### A View from the South

The Centro de Economía Internacional—based in Santiago, Chile—published, in its July 1993 newsletter, an exhaustive analysis of that summer's Group of Seven Economic Summit in Tokyo and its implications for developing countries. Hernan Buchi, one of the architects of Chile's economic opening, is on the center's board of editors.

### Beats Me, Mon

When John Paul II visited Jamaica on August 9, 1993, many Jamaicans asked themselves why the Pope chose to visit the country in the first place. After all, only 7% of the island's 2.3 million people are Catholic. His visit to the island nation was the first in papal history, an event made even more singular by the fact the vast majority of Jamaica's church-going citizens belong to the Anglican, Methodist, Presbyterian, and evangelical churches.

■

### A Ruminating Gringo

The Strategic Studies Institute of the US Army War College published a well-written "trip report" (September 1993) that pulls no punches when evaluating the leading candidates for Honduras's November 1993 presidential election. According to author Donald Schulz, "... [Oswaldo] Ramos Soto [the Partido Nacional candidate] is a loose cannon. If he is elected, one anticipates an orgy of corruption. The . . . candidate represents the most retrograde and authoritarian sectors of the Partido Nacional and the military. He is a supreme demagogue and opportunist whose election could well endanger the democratic gains that Honduras has made over the last 13 years." Of the other candidate—Carlos Roberto Reina—Schulz writes that he "... is an old party war-horse, a socialist democrat who still carries a lot of political baggage . . . he is an honorable man and fairly competent, even if still somewhat mired in a 1960s leftist mindset. . . ."



## Just the Facts

Flash Facts—an automated facsimile delivery system—provides up-to-date information on the Mexican market. Managed by the US Department of Commerce's Office of Mexico, Flash Facts offers 24-hour-a-day access to more than 100 different menu items, each focusing on a different aspect of the Mexican market. The service can be accessed by calling (202) 482-4464.

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## Good News, Bad News

A *Journal of Commerce* article (May 4, 1993) filed from Brazil by journalist Katherine Ellison presents some startling information. According to the article, Brazilian families now watch television an average of seven hours a day—some 20 minutes longer than US families. Worse yet, Brazilian Planning Department statistics show that more families own televisions than refrigerators. In addition, an estimated 800,000 Brazilian families own parabolic dishes, with an average of 30,000 additional systems being sold each month.

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## Workers and NAFTA

At the AFL-CIO's annual meeting in San Francisco in October 1993, President Bill Clinton provided his own analysis of labor's opposition to the North American Free Trade Agreement: "What I really believe is that this has become the symbol of the legitimate grievances of the American working people about the way they've been worked over the last 12 years."

## Good News

Net capital inflows to Latin America rose to \$57 billion in 1992. The previous year, such inflows were \$39.2 million, double the level of 1990. For the past two years, Latin America has been a net importer of capital. For further information, see the *UN World Investment Report, 1993*.

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## He's Good for Capitalism

Fernando Enrique Cardoso—one of Brazil's leading public affairs personalities—is best known in academic circles for his stinging analyses of capitalism's negative impact on developing countries. Now that he is the country's minister of finance, however, he seems to be good for capitalism. São Paulo's stock market had a record day on September 17, 1993, when Cardoso hinted he might unify Brazil's exchange rate. Nearly \$280 million worth of securities were exchanged as the market's index rose by more than 7%.

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## He's Also Good for Sweets

Brazilian chocolate is being consumed in record quantities. By September 1993 Brazilians had already eaten an average of 3.3 pounds of chocolate, nearly double the amount that was consumed in 1980. One of the latest candy products in Brazil is Nestle's Turma de Monica bar, combining dark and white chocolate. Intended for children, the Brazilian cartoonist Mauricio de Souza has been contracted to design his characters onto the bar.

## Case Studies

The Georgetown University Pew Case Study Center is circulating a very useful catalog that lists and provides an abstract of case studies in international affairs that have been developed under the center's auspices. As described in the catalog, "a case study is essentially a scenario which describes a situation up to a point at which some decision needs to be taken. The student is asked what they would do about the issues being posed. The method involves active learning." Latin American cases include the Cuban Missile Crisis, Contadora, the Panama Canal negotiations, and US-Grenada relations. For further information, contact the center at (202) 687-8971.

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## Role Models

In the face of a dramatically shrinking economy, Cuban government officials are now once again looking east for assistance—this time to Vietnam and China. According to an August 21, 1993, Reuters report, Cuba's minister of finances José Luis Rodríguez said in Hanoi that "he was interested in studying how Vietnam had initiated economic reforms even while maintaining its socialist identity." But he also cautioned that lessons from the economic policies of Vietnam and China would have to be adapted to the realities of Cuba. Perhaps he was thinking of the wage structure in both countries, where hourly labor is the lowest paid in the world at about 24 and 28 cents respectively.

# Quid Pro Quo with Cuba

by Anthony P. Maingot

*Now is the time to draw Fidel Castro away from the arena he dominates—Cuban nationalism vs. US imperialism—and into the arena he doesn't: Cuban economic performance. The US embargo is an obstacle to such a shift*

**A**ccording to Deputy Secretary of State Clifton R. Wharton, Jr., the Clinton administration is committed to a Western Hemisphere "linked by open markets and democratic values" (Washington, DC, May 3, 1993). As worthy and laudable a goal as this is, the question is whether generating open markets necessarily engenders democratic values in authoritarian societies. This question applies as much to Cuba as it does to China. Unfortunately, we have been much more prone to discuss the Chinese case than the Cuban one. It is time the US government changes this non-productive and politically motivated predisposition.

The opening of command economies can lead to pressures for the institution of democratic values. In the case of Cuba, the first step towards encouraging an open market should be the commencement of negotiations to lift the US embargo. Negotiations aimed at the institution of democratic values in Cuba via the opening in the command economy should be on a quid pro quo basis, i.e. specific economic openings in exchange for specific political changes.

*Anthony P. Maingot is editor of Hemisphere.*

The single most important sociological study of Cuba done before 1959 was Lowry Nelson's *Rural Cuba* (1950). Observing the richness of Cuba's soil and the vast amount of government-owned land lying fallow (the so-called *realengos*), Nelson felt that if such natural endowments were everything, Cuba's future was assured. But natural endowments are never everything.

*It is time the US government changes its nonproductive and politically motivated predisposition to discuss China more than Cuba.*

Much depends, Nelson reasoned, upon the degree of imagination that the Cuban people can bring to the task of finding and developing new products from their natural resources. The Cuban revolution of 1959 was initially premised on meeting that very challenge. Three decades later, Cuba is being challenged like never before, as the country's economists are admitting with remarkable candor.

The economic literature emanating from Cuba today confronts the present crisis with great realism and a predisposition to accept changes. In 1993 Julio Carranza Valdés, Cuba's most articulate political economist, seemed to be echoing Nelson's words when he warned that the survival of the Cuban revolution depends on a "strategic redefinition of the revolutionary model. . . . This is the challenge: what is needed is creativity and political audacity" (*Cuadernos de Nuestra América* 19, 1993).

The nature of the challenge is simply monumental: making the socialist system work with less than a third of the resources that it had in 1989. That 70% drop reflects the disappearance of socialist bloc subsidies. What is the capacity of the national economy to compensate for a loss of such magnitude? It is impossible to be optimistic, for reasons cited by Cuban economists themselves. Even if Cuban production during the "Special Period in Time of Peace" achieved total efficiency in making and selling local products, it would still be 40% below what in 1989 was considered minimally necessary to sustain the "normal" rhythm of the economy.

According to the UN Development Program's *Human Development Report* for 1993, Cuba is now in 75th place on the human development index (which measures real purchasing power, education,



and health). Compare this to the 20th place of Barbados or the 31st place of Trinidad and Tobago. In the Caribbean, only St. Vincent (76th) and Guyana (105th) rank lower than Cuba.

## Flagging Spirits

Though hardly ever discussed in such terms by economists (who refer, among other things, to "the need for more labor discipline"), analysis has to begin with certain domestic realities, prime among them being the social-psychological climate in present-day Cuba. In fact, every even modestly impartial observer has remarked that, since the closing of the free peasant markets that were authorized in 1986, there has been an evident flagging of Cuban spirits. A large number of commodities, especially food items, that had not been seen in years were made available virtually overnight by the *mercados campesinos*. Within months Castro ordered the experiment stopped, politically isolated the economists who had designed the experiment, and began what was called the *rectificación de errores*, that is, an attempt to create a purer form of socialist disinterest.

None of this had anything to do with the US embargo. In 1986 Cuba's leadership made what now appears to have been a fatally flawed decision to further centralize and tighten the command economy at the expense of individual initiative. The ideas behind *perestroika* and *glasnost* were already in the air. The socialist countries that subsidized the Cuban form of socialism were evidently in structural crisis. Mikhail Gorbachev was as clear as a rooster's crow when he warned in his 1987 book, *Perestroika*,

that "socialism's prestige and possibilities would be directly harmed if we cling to the old forms of cooperation. . . ." The forms of cooperation most obviously targeted for revision were the socialist bloc's agreement to pay more than 150% of the world market price for everything imported from Cuba, and the subsidization of Cuban oil purchases.

***Economic indications are that the Cuban system is involved in a pattern of deterioration that the mere lifting of the embargo will not correct.***

Aside from a social-psychological factor that we might call "sacrifice exhaustion," there are economic indications the Cuban system is involved in a pattern of deterioration that the mere lifting of the embargo will not correct. The combined impact of a totally centralized economy of imports and exports and fuel and equipment shortages is taking a terrible toll in terms of the increasing amounts of inputs necessary to produce marginal gains in outputs. For every one peso invested between 1981 and 1985 there was a \$0.53 increase in Cuban production. Between 1986 and 1990 the situation was simply unsustainable: for every one peso invested there was only a \$0.02 increase in production. The inef-

ficiency of the system could also be judged by the fact that, as Cuban economists now admit, fully 600,000 people were unproductively employed. This was part of a payout in social services that was growing three times faster than productivity.

As if those indications were not warning enough, it is now revealed that during the last five years money in circulation has been growing 1.5 times faster than the availability of merchandise. The results were predictable: not just inflation but a booming black market. Just how artificial, not to say unreal, things have become is evident in a study by Cuba's Centro de Investigaciones de la Economía Mundial, which reveals that in 1989 70% of the existing savings accounts contained less than 200 pesos, or US\$3.50 at black-market exchange rates. Clearly the level of internal savings needed to capitalize a new initiative in local production is simply not there.

## The Cuban Catch-22

Nothing illustrates the virtual collapse of the Cuban economic model more dramatically than the paradox of sugar as it affects plans to reinsert Cuba in the world economy—the one thing all players seem to agree on. Manuel Rua and Pedro Monreal's much-cited article, "*La apertura económica cubana*" (*Cuba's Foreign Trade*, February 1993), illustrates the problem, a veritable Cuban Catch-22 that is related not to the US embargo but to earlier decisions.

Rua and Monreal believe Cuba's reinsertion into the world economy can be achieved through an *apertura económica* anchored on three

pillars: attracting more foreign investments, diversifying Cuba's foreign trade, and accelerating the development of the tourist sector. The authors note that the appropriate legal changes to accommodate these initiatives have been made, to wit: Article 23 of the 1992 constitution, which recognizes and protects foreign investments, and the decision to remove the state's monopoly over exports. The Cuban Cámara de Comercio claims that, by 1993, 500 economic entities were directly, if not totally autonomously, involved in foreign trade.

Ah, but there is a fly in the ointment. The fundamental engine driving that economic reorientation, according to the authors and many others, would still have to be the sugar industry. As Cuba's economic czar, Carlos Lage, said in November 1992 on Havana television, Cuba's goal is to gain an increased share of sugar's hard-currency market. This, he admits, will require more land, more fertilizer, and a longer cane-cutting season to increase production.

### New Wine, Old Bottles

Cuba's 1992 production of 7 million tons gave Lage and the authors in *Cuba's Foreign Trade* the confidence to believe that, with 6.3 million tons for export, Cuba might just make it. Unfortunately for Cuba, this has turned out to be little more than pouring new wine into old bottles. For the past 25 years Cuba has hitched its economic destinies to that star called sugar. Sugar cultivation takes up nearly 60% of all of Cuba's cultivated area, consumes more than 30% of the nation's energy, and employs 440,000 people. But even Lage had to recognize some crucial economic realities that would surely affect Cuba's plans: in 1989 Cuba imported 13 million tons of oil; in 1992 that amount was cut in half. Keeping in mind that Cuba's sugar milling equipment is of gas guzzling (and polluting) vintage, that its sugar mills are spread across

Cuba, and that such dispersion requires an intensive use of fuel-driven transportation, the drastic nature of fuel deficits is clear.

Another problem is that Cuban sugar has become dependent on the extensive use of fertilizers. In 1989 Cuba imported 1.3 million tons of fertilizer; by 1992 that figure was slashed by some 75%. In 1989 Cuba purchased US\$80 million worth of herbicides; by 1992 that had been cut by about 60%.

*Should a country  
that cannot produce  
enough alcohol or  
aspirins for its  
hospitals invest so  
heavily in interferon?*

The result of these reductions was quickly evident: the 1992-93 sugar harvest, a crop of 4.2 million tons, is the smallest in 30 years, representing the single largest annual drop in sugar production. Cuba has argued force majeure in suspending sales of sugar contracted to convertible-currency clients—hardly a way to start a reinsertion into the world market.

The news could not have come at a worse time for the island. With so much land devoted to sugar, the deficit in food production has been increasing: in 1989 Cuba was importing 57% of the proteins and 51% of the calories consumed. Cuba's purchasing power in 1993 is considerably less than it was in 1989. The deficiency in local food production has affected plans to integrate the tourist industry through backward linkages into the agricultural sector, which, in the rest of the Caribbean, is sustained by imports. As we shall see, it is relevant as well to state initiatives in the domain of biotechnology.

Cuba began investing in medical education and research early in the

revolutionary phase. In those days the idea was to perform "internationalist" duties in other developing countries. Today's goal is medical technology as a business. Plans exist to create a locally based complex for medical treatments of all sorts—from cosmetic surgery to oncology—for patients paying hard currency. Such a complex could intersect with the burgeoning tourist industry. Another dimension of the plan calls for exports from the Cuban medical complex, including physical plants, instruments, equipment, and even the doctors and technicians to operate them. Cuban agencies using Western-style marketing techniques are already at work. Medi-Cuba and Heber Biotec handle sophisticated medications such as reagents, epidermal growth factors, diagnostic kits for the HIV virus, hepatitis B and meningitis B vaccines, and alpha, beta, and gamma interferons. According to US sociologist Julie Feinsilver's *Healing the Masses: Cuban Health Politics at Home and Abroad* (1993), indications are that Cubans are at least breaking even and that their 15-odd biotechnological centers are self-sustaining.

The very first issue regarding this sector is the question of matching appropriate technology to levels of development. One question repeatedly asked about Cuba is whether a country that cannot produce enough alcohol or aspirins for its hospitals should be investing so heavily in the production of interferon.

### Investor Liabilities?

Beyond this relatively simple issue of accounting and opportunity costs lie the risks that, with or without the US embargo, any potential investor should consider. Potential legal liabilities are one such risk. In a field dominated by US, European, and Japanese multinationals, the Cubans appear weak in both basic research and sales. Indeed, Cuba does not recognize patents,



a major problem any joint ventures will have to take into account.

The relationship between appropriate technological inputs and productive outputs also applies to Cuba's goal of becoming self-sufficient in foodstuffs. The plan has been to increase production through greater and greater infusions of highly trained technical personnel. According to the *Boletín de Información sobre la Economía Cubana* (January 1992), Cuba has been spending twice the Latin American average on technical and scientific education and training. As in medicine, the Cuban government has decided that advanced technological and scientific inputs are the paths to agricultural development. Yet Cuba remains heavily dependent on the import of a wide range of cereals, beans, oils, milk, poultry, and other basic foodstuffs. Similarly, if Cuba is marketing five different types of advanced biotechnological medications for veterinary use, why has it failed to stop simple fowl diseases from undermining plans to have people raise their own poultry?

### Tourism Dollars

Havana took off as a major tourist spot after World War II. When Miami Beach rejected the institution of gambling casinos, the big money moved to Havana. This move would prove to be a double-edged sword: the more successful it became as an industry, the more it fueled nationalist and reformist resentment. Among the first acts of the revolutionary government in 1959 was to close down all casinos and de-emphasize tourism in general. Thirty years later, the regime reversed itself and launched a dramatic tourism initiative. Its first step was to open up the industry to joint ventures, with considerable success thus far. In 1991 Cuba attracted 300,000 tourists, matching the highest figure of the pre-revolutionary days—and is perhaps over-optimistically targeting 1.5 million tourists by 1995.

Tourism will be contained in 11 major tourist enclaves, the biggest being Varadero Beach. Access to this truly magnificent stretch of white sand and crystal clear waters is made possible by a first-rate highway running from Havana, an international airport that can service the largest jumbo jets, and a modern marina with moorings for 110 deep-sea fishing yachts. In the European-style grading system, Varadero will have three five-star hotels and another 5,000 rooms of at least three stars.

*The embargo reduces the maneuverability of Cuban interests who understand that reforms are the only way out.*

Spanish, Mexican, British, and Jamaican interests have entered into joint ventures and management arrangements, which give the foreigners nearly complete freedom of managerial and administrative policy. Several West Indian firms have been inquiring about (and some were investing in) a range of possible deals, from building new—or restoring old—hotels, and supplying foodstuffs, to the assembly of small cars for the rental business. Firms from other Caribbean nations are interested in pursuing the Cuban idea of multi-destination packaging.

The truly big plums, of course, would be multideestination packages with Miami and San Juan, Puerto Rico. The risks of such investment are great, but the new investors are gambling on the profitability of what is surely the future of Caribbean tourism: multideestination vacations, perhaps with Cuba as the principal site.

### The Embargo's Effects

Cuba's economic decline cannot be attributed to the embargo. What the embargo does, however, is twofold. First, it monopolizes both the language and the agenda of economic opportunities by focusing attention where it should not be: on Cuban nationalism vs. US imperialism. And second, precisely because of this monopoly, the embargo reduces the maneuverability of those interests in Cuba who understand that basic economic and political reforms, not simply lifting the embargo, are the only way out.

Those concerned with Cuba's economic and political future understand that half-measures will not bring the island's economy out of its structural crisis. Removing the embargo will merely be a half-measure given the absence of hard-currency credits, the elimination of barter trade, and, most fundamentally, the lack of opportunity to sell at a profit what is locally produced. If the lifting of the embargo would encourage such changes, then it would be worthwhile. But let me repeat: the political realities in the US are such that a wholesale, unilateral, lifting of the embargo is perhaps not possible. What might be possible is a negotiated quid pro quo—specific economic openings in exchange for specific political changes in Cuba.

Now that the Cuban economy has been "dollarized"—an admission that the informal economy is more important than the command economy—the time is right to facilitate further change and reform. There is no absolute guarantee that such a measure will work. Yet, when balanced against the futility of 33 years of political and economic stagnation, the risk is certainly worth taking. ■

*Editor's Note: Edited excerpts of testimony presented to the US Senate Select Committee on Intelligence, July 29, 1993.*

# The Social Safety Net Unravels

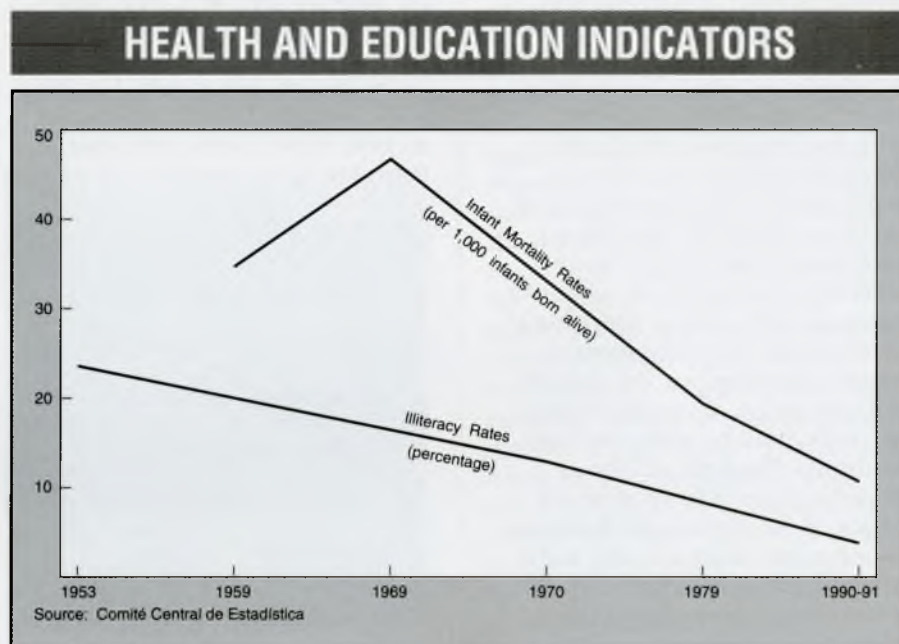
by Carmelo Mesa-Lago

**P**rior to the collapse of socialism in Eastern Europe and the USSR, Cuba had the most comprehensive, generous, and costly state social safety net (SSN) among all those countries, as well as in Latin America. That feat was largely possible because of the enormous economic aid provided by the USSR and the Council for Mutual Economic Assistance (CMEA). The disappearance of the latter has generated a severe economic crisis. As the economy has fallen, the burden of the SSN has become unbearable. The crisis is quite evident in the areas of health care, education, employment, social security, housing, and, more broadly, in general patterns of consumption.

## The Boom and Deterioration of Health Care

By the end of the 1980s, Cuba had one of the most comprehensive free health-care systems in the world, yielding some of the highest health standards on the planet. Cuba led Latin America and the socialist world in virtually all health indicators: infant mortality was only 11 per 1,000 (the lowest in all Latin American and socialist countries); life expectancy reached 75 years (matched only by Costa Rica); there were 33 physicians per 10,000 inhabitants (equaled only by the USSR and Czechoslovakia); and

*Carmelo Mesa-Lago is the Distinguished Service Professor of Economics and Latin American Studies at the University of Pittsburgh. He is the editor of Cuba after the Cold War (University of Pittsburgh Press, 1993).*



there were 5.3 hospital beds per 10,000 inhabitants (superseded only by Argentina, Uruguay, and the USSR). Although the most important health-care problems had been solved by 1986, Cuba launched a costly family doctor program that covered 67% of the population by 1992, but, in the midst of severe scarcities, was a wasteful extravagance. Another indication of waste was a national hospital-bed occupancy rate of less than 73% and an average rate of almost 10 days of hospital stay; the first was low by international standards, the second clearly excessive.

Cuba's health-care system was therefore one of the world's most capital intensive, costly, and wasteful. Such largesse was possible mainly because of generous Soviet economic aid to Cuba—estimated at \$65 billion between 1960 and 1990. US social scientist Kathleen Barrett has amply documented the

devastating impact of the collapse of the Soviet bloc on Cuba's health-care system.

According to Barrett, Cuban health care has been plagued by a number of shortages, most of which are associated with the deprivation stemming from the collapse of socialism in Eastern Europe and the USSR. These shortages are led by a sharp decline in CMEA imports of drugs and medical equipment, as well as raw materials, required to produce 85% of the medicines consumed in Cuba. This has resulted in the virtual disappearance of 229 drugs (including antibiotics, anesthetics, asthma medicine, and insulin). Other basic supplies, such as sutures, x-ray plates, and surgical gloves are also scarce. The lack of condoms and antibiotics has combined with the increase in tourism and prostitution to create a fast expansion in venereal diseases. Cases of syphilis



and gonorrhea jumped twofold between 1980 and 1989, and the situation was reportedly worse between 1990 and 1992.

While not directly connected with the practice of medicine, the scarcity of other vital materials—spare parts for ambulances, operating pumps for the public water system, and insecticide used in combating malarial mosquitoes—seriously impairs the health-care infrastructure. The lack of raw materials for making soap renders the maintenance of personal hygiene much more difficult. Fuel reductions affect everything from garbage pick-up (which sometimes does not occur for months) to the refrigeration of blood supplies. Food shortages have re-introduced the specter of malnutrition-rooted diseases, such as the optic neuropathy blamed on a deficiency of B complex vitamins.

Not surprisingly, growing stress on the population has probably increased ulcers, hypertension, and cardiac and mental diseases. The tightening of the US embargo and US pressure on Western European countries and Japan not to export to Cuba have aggravated these scarcities and problems.

Barrett reports that the government has taken several measures to cope with the health crisis:

- Scarce medicine and food have been reserved for vulnerable groups such as pregnant mothers, children below the age of seven, the elderly, and those with chronic diseases.
- Traditional and herbal medicine, thermal waters, and acupuncture are used even in the best hospitals (e.g., acupuncture has replaced anesthetics for surgery and a powder made of crusty shells is used to heal wounds).
- Patients are treated at home whenever possible, thus reducing hospital admissions and length of stay (but increasing underutilized services).
- Diagnosis is increasingly done with clinical examinations rather than tests.

- The reduction of fat and meat consumption, combined with an increase in exercise (i.e., riding bicycles), is claimed to have reduced cholesterol levels (but consumption of eggs has increased, more accidents may be occurring because of bikes, and malnutrition has grown).
- A new program monitors health care using family doctors to detect diseases, but it lacks the medications necessary to cure most of them.

*These policies are a mere survival strategy. The crisis can only be solved with massive aid and imports that are unlikely to materialize in the near future.*

Barrett concludes that these policies are a mere survival strategy and that the crisis can only be solved with massive aid and imports that are unlikely to materialize in the near future. She reports widespread skepticism and cynicism on the part of a population besieged by all types of difficulties, while simultaneously bombarded by government claims that health standards are improving. Some of the physicians and public health officials she interviewed acknowledged—in private—the deterioration of health standards and the potential for epidemic. Barrett observes that health statistics have not been released for three years, probably because they are negative and—in view of the political stature of health care—would damage the image of the revolution abroad.

## **Educational Standards, Costs, and Crisis**

All levels of education are free in Cuba. There is universal access to elementary school and nearly universal access to secondary education; entrance to higher education is conditioned on exams and quotas.

Between 1953 and 1970 Cuba's illiteracy rate was almost halved; by 1990 it had declined to 16% of the 1953 level and was 25% of the Latin American average. In 1987 virtually the entire population of elementary-school age was enrolled, as were 88% of those of secondary-school age (a sixfold increase over 1960) and 23% of those of college age (7.6 times that of 1960).

While the ratio of students per teacher was 16 in 1979-80, it fell to 10 in 1989-90. At the beginning of the 1990s Cuba's mean years of schooling was 7.6, similar to that of the Soviet bloc and twice the average of the developing world. Fellowships that, in addition to free education, included food, clothing, and shelter were awarded to 43% of all students enrolled in secondary school in 1989-90 and to 28% of all students enrolled in higher education. In 1988-89 there were 6,029 Cubans with fellowships enrolled in higher education abroad. In addition, there were 4,660 foreign students enrolled in higher education in Cuba, and as many as 22,000 in all educational levels who received those services free. Many had Cuban fellowships in addition.

As a percentage of gross social product (GSP), educational expenditures increased from 4.2% in 1970 to 6.8% in 1990. The latter was almost twice the average proportion of the developing world and Latin America (3.5%) and higher than the average of the industrial world (5.9%). Because of declining GSP in 1990-92, the Cuban share of educational expenses probably increased, with estimates ranging from 8.5% to 13% of GSP in 1992.

The Cuban government has tried to maintain educational

standards during the crisis, but it has been forced to make important cuts and changes. Unlike health care, however, we lack detailed information on the impact of the collapse of the Soviet bloc on the quality of Cuban education.

Fidel Castro claims that no schools have been closed and that there is no paucity of books and other utensils. Recent visitors to Cuba report otherwise. They claim there are grave shortages of books, paper, and chalk in schools, as well as a reduction in student meals. Part of the textbook deficit can be attributed to the fact that very few books are now imported. About 30% of the raw material used in the domestic production of paper is wood pulp (the rest is sugarcane bagasse), which used to be imported at very low prices from Eastern Europe and the USSR; it now must be bought through the world market in hard currency. In addition, 25-30% of paper output is wasted due to obsolete technology, lack of spare parts, inadequate raw material, and labor and quality control problems. The scarcity of books is so severe that a small book fair organized at the end of 1992 drew a line three-city blocks long.

The decline in production and supply comes at a time when most of Cuba's textbooks are in need of revision or replacement. The collapse of socialism in the Soviet bloc has forced education officials to drastically review textbooks (e.g., on economics and Marxism) that used to be published by those countries, and significant changes are being introduced in the curriculum.

With the Soviet bloc transition, virtually all Cubans studying in those countries returned home or asked for asylum. The alternative, that of sending Cubans to study in hard-currency countries, is precluded by the scarcity of resources. To compensate, the government has relaxed the restrictions on Cuban scientists going abroad for training in developed market countries, and is encouraging groups of technical personnel

to work abroad and share their earnings with the state.

Prior to the crisis, emphasis was placed on formal academic training, as opposed to vocational education. That priority was inconsistent with the labor market's needs and is even more incongruous now in terms of prospects for employment generation. In 1989-90, 76% of students who had completed elementary school were enrolled in secondary, pre-university, or higher

*Living conditions among the elderly and pensioners have rapidly deteriorated. Old people lack transportation to receive medical attention and cannot stand in long lines for food.*

education, while only 24% were enrolled in technical-professional (20.3%), special (3%), and vocational (0.5%) schools. In 1991-92, however, the Ministerio de Educación established that 60% of students would go to vocational schools and only 40% to pre-university schools; many of the latter were being converted into vocational schools.

### Employment and Social Security

Throughout the revolution, a policy of full employment has been pursued that now faces enormous difficulties. In 1970 open unemployment registered its lowest rate:

1.3% of the labor force—virtually full employment. Underemployment, however, was enormous in the state sector, which embraces 95% of the labor force. As the mild economic reforms introduced in 1971-85 released part of the hidden labor surplus, the rate of unemployment rose to about 6% during most of the 1980s. Most of these idle workers, nevertheless, continued receiving their wages and were put on a "reserve" until they found other jobs. The crisis of the 1990s has severely aggravated this problem as probably 80% of factories have been shut down, transportation is virtually paralyzed, and electricity production, as well as commerce and entertainment activities, have declined dramatically. In 1992 an estimated 10-18% of the labor force was inactive and most of it (as well as young workers entering the market after graduation) was under some type of unemployment compensation.

In the early 1990s Cuba had the most comprehensive and liberal social security system in both Latin America and the socialist world. Virtually all the labor force was entitled to pensions (old age, disability, and survivors), as well as paid leave for sickness and maternity. Employers alone contributed to this fund. The age of retirement was lower in Cuba than in the four most socially advanced Latin American countries, but the island's life expectancy was higher. The average pension replaced 90% of the salary previous to retirement, which was quite generous in the wider Latin American and socialist perspective. Relaxation of requirements for pensions took place in the late 1980s and early 1990s, which, combined with poor financing, led to a 40% deficit in the system. This deficit was automatically covered by the already overstretched state budget. Still, living conditions among the elderly and pensioners have rapidly deteriorated: old people lack transportation to receive medical attention as well as essential drugs, they cannot stand in the long queues in



front of state stores that may last six or seven hours, and, because their minimum pension equals about US\$1 in the black market, they cannot buy adequate food.

Estimates of the cost of Cuba's SSN in 1992 (combining health care, education, and social security expenditures) range from 22% to 34% of GSP—not including the costs of consumer goods subsidies and unemployment compensation. As GSP was cut by half in 1992-93, the burden of the SSN became intolerable.

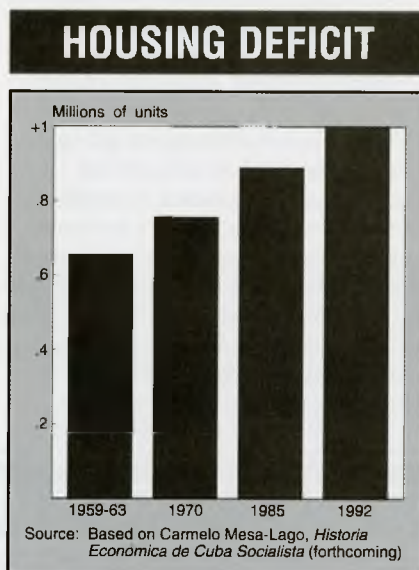
### Housing Shortages

In contrast with the development of other social services, housing has been seriously neglected in Cuba. Cuba's housing deficit was an estimated 655,000 units at the beginning of the revolution. From 1960 to 1980 not only was the amount of housing constructed severely inadequate but a good part of the existing stock disappeared because of lack of maintenance: the government neglected repairs of public housing and those residents who own their homes lacked construction materials to maintain them. Even as the population growth rate declined, these problems raised the housing deficit considerably.

In the early 1980s the expanded availability of more construction materials to build and repair private housing construction by the state meant that the housing deficit grew by only 1%. In 1985, however, the deficit was 36% higher than in 1959. For the years since then, the scarce data indicate substantial worsening of the situation. The new housing law enacted in 1988 tightened the rules for private construction and exchange while state construction also decreased.

Under the first wave of adjustment measures in 1990, housing expenditures were cut by 20%, and in 1991-92 there was a virtual freeze in housing construction (except for labor camps in the countryside). In spite of Castro's claim that con-

struction microbrigades would build 100,000 dwelling units annually, they built only 18,315 units from 1986 to 1989. Cement production has sharply decreased and it is impossible to get the needed materials for repairs. By 1992 the housing deficit probably surpassed the one million mark. Furthermore, the housing stock is rapidly deteriorating: in some Havana neighborhoods most buildings are propped up.



### Consumption Levels

Consumption of essential consumer goods has been quite restricted under the revolution. Rationing was introduced in 1962 and rapidly expanded to cover most consumer goods. Between 1966 and 1970 the number of goods rationed was expanded and their physical quotas reduced, but under the mild economic reform of 1971-85 there was some improvement in both liberating goods from rationing and increasing the quotas. In addition, the quotas could be supplemented by purchases in the state-parallel, free-peasant, and artisan markets. The Proceso de Rectificación launched in 1986, combined with the collapse of socialism in the Soviet bloc and the "Special Period in Time of Peace" in the early 1990s led to the worst

cuts in consumption under the revolution: 15% in 1989-91 and much more in 1991-92.

By the beginning of 1993 virtually every consumer good in Cuba was rationed. It is estimated that current rationing quotas (assuming they are fulfilled in practice, which is not usually the case) only satisfy 14 days of the population's minimum food needs. In 1989, 57% of the protein and 51% of the calories consumed in Cuba came from imports. The result is that the daily caloric intake declined from 3,103 in the mid-1980s to 2,000 in 1992, below the minimum standards set by the World Health Organization.

### Restructuring the SSN

It should be evident from this analysis that different social policies—geared to the short and long-run—should be implemented in both the transition period and later, as a full-market economy is approached. It is important to avoid the introduction of permanent rights that could not be financially feasible in the long run. Scarce resources should be targeted to protect the most vulnerable groups, and clear priorities set to preserve or cut programs and specific benefits.

The shares of the various programs within Cuba's SSN should be restructured according to the following guidelines:

- Social security expenditures should be cut by tightening entitlement conditions for both pensions and sickness-maternity monetary benefits.
- Health and education expenditures should be reduced (as their infrastructure and personnel are more than sufficient) through improved efficiency.
- Subsidies to prices and enterprises should be eliminated.
- Unemployment compensation should be extended (as the number of jobless will expand), but its entitlement conditions should be tightened.



- Social assistance expenditures should be expanded to protect the poorest and most vulnerable groups.

Although the bulk of the SSN in socialist countries is furnished and financed by the central government, state enterprises usually provide some monetary benefits such as: occupational accident insurance, sickness and maternity paid leaves, partial disability and provisional pensions, funeral aid, and subsidized cafeterias. As these enterprises are privatized it will be necessary to develop a new infrastructure and funding to sustain such benefits. Furthermore, several socialist countries in transition (as well as Latin American nations) have decentralized social programs by transferring them to local governments. They have failed, however, to provide adequate financing. Administrative decentralization is normally a positive development, but it should not be used as a trick to cut benefits.

The SSN in socialist countries—including Cuba—is financed by the central government and state enterprises at virtually no charge to the user. In the transition to the full market, the financial burden on employers should be balanced with employees' contributions, user fees for some health services, etc. The state burden should be reduced by those techniques, as well as increasing the participation of the private sector.

Part of any international aid provided to help finance the transition in Cuba should be allocated to defray a portion of the cost of the SSN, particularly in its first stage, through direct aid to the needy. Such action would facilitate the shutdown of inefficient enterprises; reduce pressure on the government to print money and increase the budgetary deficit; enable the government to reduce or eliminate subsidies for consumer goods; aid in stabilizing the monetary currency; and

generate political support for the reform.

If an adequate SSN is not provided, there will be serious political and economic costs. A consensus or social pact will either be impossible to achieve or, if initially established, will rapidly vanish. Strong popular opposition to the needed market reforms will obstruct their passage and enforcement or reverse those measures already implemented. The probability of violence and authoritarianism will increase, and there will be a high risk of massive emigration to the US. The lesson is that early investment in a Cuban SSN would be less costly than repairing the damage created by the lack of it. ■

*Editor's Note: Edited excerpts from "Transition in Cuba: New Challenges for US Policy," a study prepared for the US Department of State by the Cuban Research Institute at Florida International University.*

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# Seized Properties vs. Embargo Losses

by Archibald R. M. Ritter

**S**hould Cuba pay compensation to US citizens for properties seized without payment between 1959 and 1961? Should the US pay compensation to Cuba in view of the damages to the economy and the harm to the material welfare of Cubans that resulted from the embargo? These questions do not have quick or easy answers.

The normalization of Cuba's place in the international financial and trading system requires a resolution of its debt problem and the issue of compensation for the properties of US nationals seized between 1959 and 1961—a time of radicalization in Cuba and deteriorating relations with the US. The current value of the properties expropriated is estimated to be \$5.3 billion. At the same time, however, there are indications that Cuba is considering a \$28 billion counterclaim against the US for damages due to the embargo.

Concerning compensation for nationalization, international law and precedent are reasonably unambiguous. Indeed, Cuba's 1959 "Fundamental Law of the Revolution" recognized the appropriateness of compensation, and, in fact, Cuba has compensated the nationals of other foreign countries for the expropriation of their proper-

ties during 1959-61. In contrast, there appears to be no body of international law relating to embargoes or economic sanctions. While law may not support any claim that Cuba may make for losses arising from the US embargo, a sense of fairness and equity would suggest that the severe damage that the embargo was designed to impose on Cuba should not be ignored in future negotiations on compensation.

*Fairness suggests that the damage caused by the embargo should not be ignored in future negotiations on compensation for expropriated property.*

## Some Ethical Questions

There are a number of reasons why Cuba should pay compensation for the expropriated properties. First, in most countries, governments are legally required to protect citizens and businesses from damages arising from arbitrary government actions, as well as to refrain from imposing such damages in the first place. Thus, while governments are entitled to acquire properties for the well-being of society, it is considered appropriate that they indemnify the original owners of

these expropriated properties. Second, the Cuban government did compensate the citizens and businesses of countries such as Canada, Spain, and Switzerland. Cuba also allowed for some compensation—though it was not paid—to landowners whose lands were being nationalized under the first agrarian reform law of May 1959; these lands included the large holdings of some US companies, especially in sugar. Third, the Cuban government initially agreed to compensate US nationals for some of the major nationalizations of properties, but the terms of repayment did not appear reasonable.

On the other hand, there are a number of grounds on which, arguably, compensation for the expropriation of US properties should not be paid. First, if the properties had been acquired in the first place through theft or corrupt practices, then compensation would not be appropriate. (The properties seized from Batista and his close associates in February 1959 were allegedly acquired illegally, and, as a result, they did not receive compensation; this policy was widely viewed as reasonable.) There were, however, no allegations at the time that the expropriated US properties were illegally acquired, and to my knowledge this argument has not been made since.

Second, it might be argued that the US enterprises that were expropriated had paid adequate or more-than-adequate returns to their owners through profit repatriation or other means (i.e., transfer pricing or expatriate employee remittances). This may have been the case, but it would now be difficult to determine if it was indeed. Nonetheless, whether this justifies

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Archibald R. M. Ritter is a professor in the Norman Paterson School of International Affairs and the Department of Economics at Carleton University in Ottawa, Canada. He is the co-editor (with M. Cameron and D. Pollock) of *Latin America to the Year 2000: Reactivating Growth, Improving Equity, Sustaining Democracy* (Praeger, 1992).

nonpayment of compensation or not is a matter open to question.

Third, should current and future generations of Cubans be liable for the actions, policies, or errors of the Cuban leadership between 1959 and 1961? Here one could conclude that, just as we do not hold children responsible for the actions of their parents, Cubans today should not have to pay for the earlier actions of their government. While this appears to apply in criminal law and everyday life, it does not seem to apply to finance and economics (or the environment), where future generations in fact do assume responsibility for domestic fiscal debts and external debts (as well as environmental damages) incurred by earlier generations for short-term gains.

Fourth, it might be argued that the particular compensation arrangements proposed and the failure to provide any compensation must be viewed within the specific historical context of 1959-61, that is, the deterioration of relations with the US that led ultimately to the embargo and the rupture of diplomatic ties. If the US had not been applying pressures on the Cuban government in order to influence the design of public policy and to defend the economic and strategic interests of the US, or to destabilize or overthrow the Cuban government, perhaps neither the embargo and the diplomatic break nor the radicalization of the revolution would have occurred. In this case, a more reasonable compensation arrangement might have been proposed, negotiated, and accepted.

If the rupture of economic and political relations had been purely the result of unilateral US actions, then perhaps one could argue that the proposed compensation package and the nonpayment of compensation were a natural and reasonable response. The rupture of relations, however, was not simply the result of unilateral action by the US to which Cuba responded by nonpayment of compensation. Instead, it was an action-counter-

## US CLAIMS

(\$US Millions)

Cuban Electric	797.5
ITT	389.5
North American Sugar	324.8
Moa Bay Mining	263.1
United Fruit Sugar	253.6
West Indies Sugar	253.0
American Sugar	241.4
Standard Oil	213.4
Bangor Punta	159.1
Francisco Sugar	156.7
Texaco	149.3
Manati Sugar	144.8
Nicarco Nickel	98.3
Coca-Cola	82.0
New Tuinieu Sugar	69.4
Lone-Star Cement	65.3
Colgate Palmolive	42.9
Braga Brothers	37.5
Broise Cascade	34.9
American Brands	31.6
Atlantic Richfield	30.4
Burns Mills	29.2
Pan American Life Insurance	28.9
United States Rubber	28.3
F. W. Woolworth	27.4
Havana Docks	26.8
Continental Can	26.5
Firestone Tire and Rubber	24.7
International Harvester	24.7
Owens-Illinois	24.1
General Motors	22.9
Chase Manhattan	21.8
IBM World Trade	19.1
First National City Bank	18.5
Swift	17.9
First National Bank, Boston	17.6
General Electric	17.6
Libby	17.0
Goodyear Tire and Rubber	15.2
Sears Roebuck	11.0
Reynolds Metals	10.1
Lykes Brothers	10.1
Sherwin Williams	10.1

Note: For compensation under the Cuban claims program of the US Federal Claims Settlement Commission

Source: Updated data based on Business International Corporation (New York), March 1992

action phenomenon with both Cuba and the US responding to the actions of the other—cycles characterized on both sides by miscalculation, provocation, brinkmanship, and recklessness. The Cuban government bears a share of the responsibility for the course of events in its relationship with the US. Indeed the revolutionary leadership welcomed the cancellation of the sugar quota and the economic embargo, at least in their official statements. They seemed to willingly participate in the escalation of economic animosities between the two countries.

Thus it would be difficult to argue that Cuba should be freed from an obligation to pay compensation on the grounds that it was the victim of purely unilateral action on the part of the US. On the other hand, the US was also an active participant in the course of events that made it difficult, and then, after the diplomatic rupture, impossible for Cuba to negotiate or pay compensation.

A fifth argument is that, while under an obligation to pay compensation, Cuba has already paid a number of times over through the damages caused by the economic embargo. Such damages were inflicted intentionally, they were genuine, and they were serious. The value of such damages is probably impossible to determine. Should the US be liable for the damages caused to another country through imposition of an embargo on that country? Again this is a difficult question. Are countries under a moral or legal obligation to trade with each other, or is this merely a matter of mutual convenience? To my knowledge, no analyst, philosopher, or policy-maker has proposed that when a country imposes tariff or nontariff barriers to trade or investment that there should be compensation for the foreign enterprises or countries that are damaged by such action. Nor was it argued that the OPEC countries should compensate the oil importing low-income



countries for the economic injuries caused by oil embargo or subsequent higher oil prices. But when a very large country imposes an economic embargo on a small country whose economy is closely integrated into that of the large country, is the former liable in some ethical senses for the damages inflicted on the latter? Perhaps. From a legal standpoint, however, there would appear to be no such liability. Can a similar argument be made for the Bay of Pigs Invasion or other covert actions?

Should Cuba be asked to make compensation when its foreign exchange earnings have fallen precipitously in real terms, when its internal economy has been in turmoil as a result of the disruptions in relations with Eastern Europe and the former Soviet Union, and when the difficulties of a transition to a more decentralized and export-oriented economy are just beginning to be felt? Whatever the government, should Cuba then be asked to make compensation payments involving real net resource transfers out of the country? Probably not.

## Legal Dimensions

International law and established precedent seem to be reasonably clear on the issues of compensation for nationalization. Indeed, with the exception of US claimants, Cuba appears to have agreed with the principle and practice of compensating enterprises and individuals whose properties were nationalized. On the other hand, there appears to be no body of international law or established set of precedents concerning compensation payments to a country that has faced economic sanctions, embargoes, or covert destabilization imposed by a large country on a smaller neighbor. The established corpus of law thus appears to favor the compensation claims of the US.

The standard approach to nationalization and compensation from 1959 through to the present

is that nationalization is acceptable when carried out for a legitimate public purpose. The manner of implementation must be nondiscriminatory and nonretaliatory, and compensation (if it is to be provided) must be "prompt, adequate, and effective." Most countries have bodies of law that incorporate these essential elements, and Latin America is no exception. Cuba's Constitution of 1940 and Article 24 of the Fundamental Law of the Revolution (adopted in 1959) were consistent with international law. Article 24 permitted nationalization: "... for duly established reasons of public utility or social interest, and in every case after payment in cash of proper compensation, the amount of which will be determined by the court."

International law concerning nationalization and compensation might be described generally as follows. First, nationalization is legitimate when undertaken for purposes of public interest. This may include general social and economic reform, and specifically, the nationalization of large-scale landholdings or latifundia when this accomplishes more equitable land tenure patterns, more equitable patterns of income distribution, reduced poverty, and social justice. Thus, Cuba's First Agrarian Reform Law has been considered an acceptable rationale for nationalization in terms of public interest. Second, nationalization is supposed to be nondiscriminatory and nonretaliatory. It is supposed to focus on target groups equitably rather than being directed specifically against a particular ethnic, religious, racial, or national group. It also is not supposed to be undertaken in retaliation for actions of another party or government. Third, compensation must be paid, and the compensation is supposed to be "prompt, adequate, and effective." There has been some disagreement over the terms of compensation. Immediate payment of cash for the market value of a nationalized property would certainly be highly "prompt,

adequate, and effective." The "promptness" criterion, however, can be stretched out to 20 years or more with payment in installments or the issuing of bonds payable in the future, presumably earning a reasonable interest.

Greater controversy centers on what constitutes "adequate" compensation. Should this be the market value of the property, before or after expropriation is proposed? Should it be the tax assessed value (which is usually substantially below the market-determined value)? How is "effective" compensation to be defined? Does this require payment in convertible foreign currency or can local inconvertible currency be employed? For foreign owners, compensation would be of limited value if it could not be translated into a currency of use to them. In most cases this would necessitate payment in a foreign currency, or some arrangement to permit convertibility.

Did Cuba's nationalization law and processes conform to the commonly accepted international law and precedent? On that score, the First Agrarian Reform Law seems to have been largely acceptable and accepted:

- It was undertaken for a purpose of legitimate public interest, namely, to reconstitute the latifundia into different property forms and improve economic and social equity.
- It was not passed in retaliation against the policies of a foreign government.
- It was not implemented with discrimination against specific ethnic, national, or religious groups—although it was directed at large-scale landholdings.

The compensation provisions of this law—payment through the issuance of bonds serviced in Cuban currency—were dubious with respect to the "effectiveness" criterion, because the Cuban peso was not convertible and the exchange controls would have made the transfer of funds out of Cuba difficult. As it turned out, however,

## COSTS TO CUBA OF THE US ECONOMIC EMBARGO

(\$US Millions)

Loss of Preferential US Sugar Market	4,676
Increased Inventory Requirements	1,990
Monetary and Financial Costs	3,128
Geographical Reorientation of Trade: Transport Costs	5,921
Losses to the Tourist Sector	3,508
Losses to Other Economic Sectors	9,224
Losses to Public Health, Culture, and Sport	234
Additional Infrastructure Investments Required	1,732
Loss of Access to US Technology	2,318
Loss of Human Capital through Emigration	1,779
Blockage of Attempts to Renegotiate the Debt (to 1990)	3,303
Obstacles to Financing through Unconventional Channels	84
<b>Total</b>	<b>37,897</b>
Source: Based on Instituto de Investigaciones Económicas (Havana), September 1992	

the relevant lands, buildings, equipment, and cattle were seized, often without court order, appraisal, or receipt. This would have made a systematic and equitable payment of compensation difficult. Nonetheless, no compensation bonds were issued or apparently even printed; no formal valuations of the affected properties for compensation purposes were made public; and no compensation was ultimately paid.

The various interventions of US enterprises that were undertaken were considered initially to be temporary rather than full nationalizations. For this reason the compensation issue did not arise initially. In time, however, the interventions became full nationalizations—mainly after the enactment of Nationalization Law 851 on July 6, 1960.

Law 851 appears to be dubious with respect to its implementation and compensation provisions. First, the law was explicitly retaliatory, aimed, as it was, at US-owned properties and in direct response to the action of the US Congress authorizing the president to cut Cuba's preferential sugar quota. Law 851 was discriminatory in that it affected only properties owned by US citizens.

The compensation provisions of Law 851 appeared to be designed

to be unacceptable, although it is also possible that the Cubans thought that this might be a good position from which to begin negotiations on compensation. The provisions called for:

- payment in 30-year bonds, with 2% interest rate payable on un-amortized balances;
- amortization and interest to be paid with 25% of the proceeds from US sugar purchase in excess of 3 million long tons (2,240 pounds per ton) and with revenues accruing when the price exceeded 5.75 cents per pound.
- annual interest that could not be paid when the previous-cited conditions did not occur would be considered canceled.

It would have been difficult for the US to accept these compensation provisions. Cuba's quota in the preferential US market, where price was a good deal more than the world price, averaged about 2.6 million short tons (at 2,000 pounds per ton) from 1952 to 1959. To increase Cuba's quota further in order to permit compensation to be paid, the US would have had to reduce the quota shares of other foreign suppliers or of its own beet and cane sugar producers in order to make space for increased imports from Cuba.

In any case, neither the US nor Cuba was bluffing. The US re-

sponded to Law 851 by cutting the sugar quota—though only for a three-month period—beginning in October. Cuba did not back down. Instead, it reacted by accelerating the nationalization process. With the imposition of the embargo (October 19), extension of the sugar quota, and the diplomatic rupture, Cuba argued that the US had made it impossible for it—as well as unjustifiable—to pay compensation. Thus, there was never a serious negotiation or discussion of the compensation proposals of Law 851. This is where the issue remains to this day.

In contrast to the existence of the reasonably well-elaborated body of law dealing with compensation for nationalization there appears to be no international law on compensation for the impact of embargoes, economic sanctions, boycotts, or any refusal of a country to trade, or have economic interaction on another country. Embargoes or sanctions are usually imposed on one country by another country or group of countries in order to pressure the country to desist from certain actions, to change certain policies, or to comply with certain internationally accepted standards of behavior. The countries subject to such sanctions obviously have no recourse to compensation.

### Law vs. Fairness

In other cases, countries have imposed embargoes in order to effect changes in the policies of other countries and/or to exercise collusive power to increase export revenues. The OPEC oil embargo of 1973 is an obvious case in point. There is no law that says a country or countries imposing an export embargo for whatever reason then has to compensate the losing countries for the higher prices of their imports. Furthermore, countries may impose import restrictions or prohibitions for a variety of reasons. A considerable body of trade law, codified under the General Agreement on Tariffs and Trade



(GATT), attempts to limit the imposition of tariff or nontariff barriers to trade. Again, however, there is no recourse to compensation for countries damaged by such actions. Retaliation by the aggrieved party is the only possible response if appeals through the GATT fail. In this situation, small countries that are highly dependent on a trade or broader economic relationship (e.g., capital flows, tourism, and workers' remittances) are vulnerable to the unilateral action of the larger economic partner. Only the mutual acceptance of fair "rules of the game" as interpreted and ruled upon by a multilateral agreement such as the GATT or a formal bilateral trade agreement can constrain economic policies on the part of a large country that severely damage the economy and material well-being of a small trading partner.

There appears to be no recourse in international law for compensation for the economic damages imposed on one country as a result of the trade or other economic policies of another country. Thus international law does not provide much if any support or encouragement to Cuba if it should try to obtain recognition, valuation, and compensation for any of the damages imposed upon it by the embargo and the break of virtually all economic relations with the US. Nonetheless, international law is not necessarily the same thing as fairness or equity.

### Should Cuba Pay?

On the issue of whether Cuba "should" pay compensation to US nationals (through the US Federal Claims Settlement Commission [FCSC]), law and ethics provide contradictory answers. International law is particularly one-sided: it supports the right of property owners to receive compensation for properties expropriated by a foreign government. But it says nothing about the right of one country to claim compensation for

the damages inflicted by a hostile neighbor through the imposition of a trade boycott, economic embargo, political destabilization, or even through invasion.

A basic sense of equity, on the other hand, does not support the right of a large country to damage a neighbor—and a small neighbor at that—by hostile economic, political, military, or clandestine actions. Furthermore, because Cuba has already paid many times over through the damages of the embargo, not to mention the other US actions, it would be unfair for Cuba alone to have to pay compensation to the US while the US paid no compensation for the damages it imposed on Cuba. Finally, owing to its current and prospective economic difficulties, Cuba will be unable to pay any compensation involving real net out-transfers of resources for many years to come.

Arguably, therefore, little or no net real compensation should be

paid by Cuba to US nationals (via the FCSC). Perhaps a "symbolic" payment could be made, though this would have to be in a "noncompensation" form, such as "generalized vouchers" that could then be used for purchase of equity in properties being privatized (i.e. a "compensation for equity swap").

When the US-Cuban relationship is "normalized," the resolution of the compensation issue will probably be just a detail, albeit a difficult one to work out. At that time the weight of ethics and equity likely will overwhelm that of legalities, and the issue will be resolved without large transfers of real resources out of Cuba. ■

*Editor's Note: Edited excerpts from "Transition in Cuba: New Challenges for US Policy," a study prepared for the US Department of State by the Cuban Research Institute at Florida International University.*

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# NEIGHBORS IN A NEW WORLD

# Crisis Challenges Social Researchers

by Francisco León

**T**o understand the role of social and economic research in Cuba today, it is necessary to discard the long-held image that the Cuban researcher continues to work in a monolithic, homogeneous research environment. Since 1985 heterogeneity more than homogeneity has characterized Cuban research. This heterogeneity had its origins in the experiences gained in "internationalist" missions abroad, the professional formation completed in socialist countries going through transformations towards new models of economic and social organization and in the sheer numbers of scholars seeking recognition. The critical issue today is whether that heterogeneity can survive the enormous challenges posed by the desperate social and economic situation.

Traditionally the social scientist in Cuba had to face the challenge of a centralized bureaucracy, deeply prejudiced against the experience and capacity of the pure researcher. The very institutional structure governing scientific research served to stymie any contribution to solving national problems. Despite these adverse conditions, it is critically important to note that Cuban scholars continued to produce scientific work that might have conceivably contributed solutions to a whole array of grave national problems.

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*Francisco León is a Cuban sociologist and the social affairs officer of the UN Economic Commission for Latin America and the Caribbean in Santiago, Chile. His publications include "Cuba: procesos y dilemas," Cono Sur (1992).*

The Academia de Ciencias de Cuba served as the cornerstone of the bureaucratic centralization. It was built in the image of similar institutions in the Soviet Union and Eastern Europe, simply another part of the general Cuban emulation of the socialist model. As such, its evolution was very much a function of the relations within COMECON.

The academy exercised a nationwide hegemony over research through its control over academia via the distribution of resources, including grants to study in universities and research centers in socialist countries. Complementing the academy's functions were two types of centers that completed the circle of control. First, there were a limited number of research centers (viz. Centro de Estudios sobre América, Centro de Investigaciones de la Economía Mundial) that exercised a virtual monopoly over relations with centers in North America, Latin America, and the Caribbean. Then there was the Comité Estatal de Colaboración Económica (CECE), which controlled all research funds coming from external multilateral sources (i.e. UN, Sistema Económico Latinoamericano) as well as from bilateral sources such as Canada and Spain.

This monolithic system, including the academy's preponderance, began to show signs of fracturing after Russian and Eastern European socialism began to crumble. The academy's domestic status was also affected by the willy-nilly adoption of the Soviet model of development ordered by the highest circles in Cuba between 1970 and 1985. Despite these reverses, the academy retained its dominant role as guide and evaluator of research at

the national level by continuing to recruit both researchers and evaluators of their work.

The influence that the academy has had is evident in the prioritization of technical areas of research. Areas such as the socioeconomic dimensions of development have received little attention. A survey of Cuban scientific contributions to the Asociación Latinoamericana de Producción Animal shows that Cuba, despite its late entry into the association (1978), has made more contributions than Chile and Colombia; only the founding countries, Venezuela and Mexico, appear to be doing more research. Yet there have been no Cuban contributions to the socioeconomic section of the association. This absence is even more remarkable given the Cuban preoccupation since the 1960s over the relative economic benefits of grass or fodder as cattle feed. Contrary to the impression left by the technical studies, there *was* good socioeconomic analysis. It just never got published.

Despite this dominance, there is today growing evidence that other research centers, and especially CECE, are gaining new prominence and importance. This change is a function of two processes: the decline of funding from the ex-COMECON countries and the increased attention they are receiving as they reorient their research from theoretical to practical areas. They are now expected to tackle the many urgent problems that Cuba faces, suggest alternative policies, and spell out the immediate economic consequences and opportunity costs of each.

It is somewhat ironic, therefore, that the present severe economic crisis that has overtaken Cuba has



given new relevance to many studies that previously gathered dust on bureaucratic shelves. Some of the erstwhile unpublished works of researchers such as Elena Alvarez, Vilma Hidalgo, and Lourdes Tabares were given international prominence when Eliana Cardoso and Ann Helwege cited them in their book, *Cuba after Communism* (1992).

The importance of all this is that these newly revealed works are not merely the idiosyncratic products of individual researchers but the result of serious and ongoing efforts by teams of researchers. To cite but one example, Elena Alvarez, often accompanied by María Antonia Fernández, has completed more than half-a-dozen important contributions suggesting solutions to the present crisis. Their work is part of the research being done at the Instituto de Investigaciones Económicas. Unfortunately, there are still numerous studies at that institute that lie unpublished despite their purported relevance to contemporary problems. Additional cases in point are the works of Rogelio Torras on industrial (especially small industry) reorganization and of Estela Espina on food and nutrition. In the same vein, the research of Tabares and Hidalgo includes contributions from a whole group of investigators from the Departamento de Economía Nacional of the Universidad de la Habana. It is a pioneering effort that has been allowed to continue, even as government officials continue to debate a return to national accounting (*la vuelta al sistema de cuentas nacionales*).

To repeat, these studies either remain unpublished or are produced for very limited circulation. Those researchers who have gained visibility through their publications represent a very small proportion of the nearly 1,000 who come from research centers across the island. Equally, they represent a small fraction of the more than 300 who presented papers at the Forum de Economistas, organized by the Facultad de Economía of the Universidad de la Habana in July 1992.

Because of the crisis mentioned above, however, some of these formerly unknown scholars are slowly breaking into the established journals (such as that of the Centro de Investigaciones de la Economía Mundial) or through new journals, such as *Economía Internacional*, established this year by the Centro de Investigaciones de la Economía Internacional of the Universidad de la Habana. The understandable desire of every researcher to be published has created a new researcher-centered mechanism for independent evaluation and criticism that is starting to counterbalance the official bureaucratic control of social investigation.

***The economic crisis  
gives new credence to  
innovation, creativity,  
and sound analysis.***

In addition to the "internationalist" causes mentioned above, it is also important to recognize that there have always been dissenting voices among Cuba's intelligentsia and research community. They criticized the 1969-70 "10 million ton harvest," the model of total integration into, and thus dependence on, COMECON. But it is fundamentally the nature of the present economic crisis that has given new credence to innovative problem formulation, creative proposal writing, and sound analytical methods.

This new trend is evident in the more recent publications of Julio Carranza and Pedro Monreal of the Centro de Estudios sobre América, the work on urban poverty of Blanca Morejón of the Centro de Estudios Demográficos, the work of Elena Alvarez of the Instituto de Investigaciones Económicas on comparative advantages in

the biotechnological industry, the work on the dynamics of inflation in the black market performed by the Universidad de la Habana's Departamento de Economía Nacional, and the work of José Luis Rodríguez on the consequences of "dollarization." It is not a trivial matter that Rodríguez was recently appointed minister of finance and that others have been elected to the Asamblea Nacional.

As encouraging as the trends toward greater research independence and heterogeneity might be, there is a real danger woven right into its very texture. The expansion of research is taking place in the midst of increasing restrictions on access, use, and divulgence of social and economic data. For the most part, as such restrictions respond to national security considerations, the only way researchers are able to continue this ever-increasing diversity of research involvement is by exercising maximum discretion in their work and demonstrating clear political loyalty to the regime's project on national survival.

The potential pitfalls for objective research in this situation are quite evident. Decreasing resources—from transportation of personnel to data processing equipment—mean strategic concentration of effort into a reduced number of researchers and research centers and, therefore, of more immediate political control. The alternative to absolute state control is to seek external funding. This, however, will require the adoption of cannons of academic independence and freedom that, given the desperate situation, are difficult to reconcile with the increasing demands for political loyalty.

The recently liberated analytical and scientific instincts of the Cuban economists and social scientists to do independent research might just be facing the most formidable challenges yet. ■

(Translated by Hemisphere staff)

# Negotiated Autonomy

by Juan M. García Passalacqua

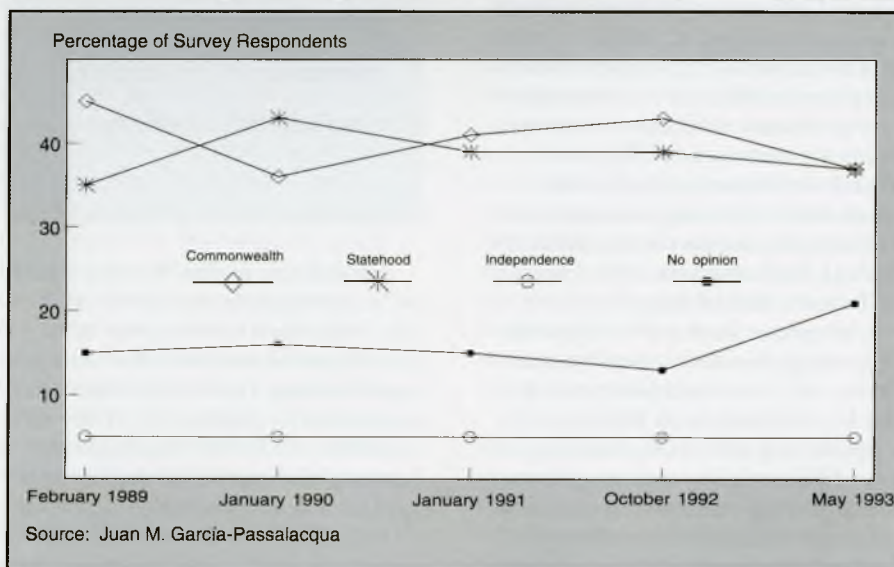
*Despite the 1993 plebiscite results, concerns over the costs of federal social programs and growing US anxieties about cultural and language differences combine with confusing congressional rules of procedure to make a decision on the Puerto Rican autonomy issue difficult. There is, however, a simple constitutional answer: "mutual determination"*

From January 3, 1989, to February 28, 1991, a historic and laborious process of consultation and negotiation on the issue of political status was conducted between Puerto Rico's three political parties, the US Congress, and the White House. It was successful in the House of Representatives where legislation for a referendum was adopted by a unanimous vote. The two-year effort died an ignominious death, however, in the Senate Energy and Natural Resources Committee.

The bill died in the Senate despite intense lobbying by the White House. Charles Untermeyer, the White House aide directing President George Bush's campaign for a plebiscite in Puerto Rico, stated in the *San Juan Star* that Republican senators in the Energy and Natural Resources Committee, including

*Juan M. García Passalacqua is a political analyst for El Nuevo Herald in Miami and a professor at the Centro de Estudios Avanzados de Puerto Rico y el Caribe in San Juan. His most recent book is Dignidad y jaibería: temer y ser puertorriqueños (San Juan: Editorial Cultural, 1993).*

## The "Zig-Zag" on the Status Issue



those who would have assured the required majority, had "a healthy amount of doubt on the effects of statehood." Untermeyer confessed he had changed few minds, particularly on the most cited reservations: the cost of federal social programs and the compatibility of a foreign culture within the US. Ironically, pro-statehood forces won the 1992 elections in Puerto Rico, but doubts about that option, exercised in a

procedural maneuver more than a thousand miles away from the island, denied the people of Puerto Rico their right to self-determination.

The chaotic, and therefore offensive, nature of the procedure in Washington can be ascertained by a veritable barrage of letters among the principal actors in the US. This flurry of correspondence began with a "Dear Colleague" letter (disseminated October 4, 1990) to the



members of the House by 30 fellow members asking for a favorable vote. A letter from President Bush to House Interior Affairs Subcommittee chairman Ron de Lugo (October 5, 1990) also supported the legislation, and another from the three political leaders of the island (one from each alternative option) was dispatched to Chairman J. Bennett Johnston of the Senate Energy and Natural Resources Committee on October 11, 1990, urging him to accept the House bill. Finally, a historic and brilliant statement (October 12, 1990) by the Rev. Jesse L. Jackson, Jr., asked Johnston "to allow the Puerto Rican referendum to go forward," and was followed by an imploring letter from House committee chairman Morris K. Udall. Johnston shot back an icy reply to the island party presidents on October 15, 1990, refusing to approve the House bill. In the aftermath, a *Washington Post* editorial (October 25, 1990) demanded that Johnston reconsider and approve the House version; and, after the reintroduction of the House bill by de Lugo on January 3, 1991, Sen. Daniel Patrick Moynihan, "in a mood of distress and near despair," delivered a scathing and totally justified condemnation of the Congress (March 21, 1992) for its inaction.

It is time for a new method to deal with the US-Puerto Rican autonomy negotiations. Presidential executive orders, internal staff studies, joint metropolitan-insular committees, interdepartmental commissions, congressional committee hearings and reports, and test cases in the judicial branch have all failed to produce a single, coherent policy or procedure. Unless, and until, a certain and predictable procedure is established for the consideration of the wishes of the insular areas, procedural uncertainty will again defeat the best efforts of both the insular areas and the US to negotiate a solution to the issues of lack of autonomy and final political status.

## Status Definitions on the Ballot

A vote for **STATEHOOD** is a mandate to demand Puerto Rico's admission as a state of the union. Statehood:

Is a non-colonial status with full political dignity. Will allow us to have the same rights, benefits and responsibilities as the 50 states.

Is permanent union guaranteed and the opportunity for economic and political progress.

Is the permanent guarantee of all the rights given by the Constitution of the United States of America—including the preservation of our culture.

Is the permanent guarantee of American citizenship, our two languages, hymns and flags.

Is full participation in all federal programs.

Is the right to vote for the president of the United States and to elect no less than six Puerto Rican representatives and two senators to Congress.

In the exercise of our rights as American citizens we will negotiate the terms of said admission, which will be submitted to the people of Puerto Rico for their ratification.

A vote for the **COMMON-WEALTH** is a mandate in favor of: Guaranteeing our progress and security as well as that of our children within a status of equal political dignity, based on the permanent union between Puerto Rico and the United States, encompassed in a bilateral pact that cannot be altered except by mutual agreement.

The Commonwealth guarantees:

Irrevocable US citizenship;

Common market, common currency and common defense with the United States;

Fiscal autonomy for Puerto Rico;

Puerto Rican Olympic Committee and our own international sports representation;

Full development of our cultural identity: under Commonwealth we are Puerto Ricans first.

We will develop Commonwealth through specific proposals to be brought before the US Congress. We will immediately propose:

Reformulate Section 936, ensuring creation of more and better jobs;

Extend the Supplementary Security Insurance (SSI) to Puerto Rico;

Obtain Nutritional Assistance Program allocations equal to those received by the states;

Protect other products of our agriculture, in addition to coffee.

Any additional change will be submitted to the Puerto Rican people beforehand for their approval.

**INDEPENDENCE** is the right of our people to govern themselves on their own land; it is enjoying all the powers and attributes of sovereignty.

In the exercise of this inalienable right that cannot be renounced, Puerto Rico will be governed by a Constitution that establishes a democratic government, protects human rights and affirms our nationality and language.

Independence will give Puerto Rico the power necessary to achieve development and prosperity, including the powers to protect and stimulate our industry, agriculture and commerce, control immigration, and negotiate international agreements that would expand markets and promote investments from other countries.

A treaty of friendship and cooperation with the United States and a process of transition to independence in agreement with legislation already approved by the US House of Representatives and Senate committees will provide for: the continuation of acquired Social Security, veterans and other benefits; Puerto Rican and, for those who want to retain it, US citizenship; the right to use our own money or the dollar; free access to the US market; tax incentives for North American investment; federal aid equal to the current amount for at least a decade; and the eventual demilitarization of the country.

Source: *The San Juan Star*, July 22, 1993

In essence the issue has a simple constitutional answer. Article IV, Section III, Clause 2 of the US Constitution states clearly and unequivocally that Congress shall have the power to "dispose" of the territory and other property belonging to the US. It also says, of course, that

it has the power to make "all needful rules and regulations" respecting such territory and property. The power to regulate, which has been used for the last 100 years, is now anachronistic. At this point in history (after the end of the Cold War and on the verge of a new



## A Still Useful Call for International Observers

... Serious consideration should be given to inviting the secretaries of both organizations to send plebiscite teams to Puerto Rico. There are ample legal precedents for such an invitation. In the last few years, political status plebiscites have been observed in three US-administered territories: the Northern Marianas Islands, the Trust Territory of the Pacific Islands, and the Marshall Islands. A plebiscite to determine whether Puerto Rico will obtain greater home rule as a commonwealth, become a state, or choose independence is a vote about change or modification of status, and it is precisely on questions of changes in the political status of dependent territories that the UN has a traditional interest. Many members of the UN or the OAS will undoubtedly have deep reservations about the appropriateness of a plebiscite, one of whose possible outcomes is the integration into the US of a territory that the US acquired as a result of the same war that led to the establishment of a protectorate in Cuba. But it is in the US interest to explore the emotional, political, and legal depths of these reservations before the plebiscite. . . .

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*Editor's Note: Excerpted with permission from Alfred Stepan, "The US and Latin America: Vital Interests and the Instruments of Power," Foreign Affairs 58, no. 3 (1980).*

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world order) the US can and must deal peacefully, and by negotiation, with its insular areas.

As noted by eminent constitutionalist Edward S. Corwin, the territorial clause of the Constitution gives the US the power to govern territories, but it also gives it the power to cede territory to another government, as was recognized in the transfer of the Philippine Islands to the Philippine Republic. More recently Gerald L. Newman of Columbia University has questioned the pertinence of the traditional territorial theory of the US and has called for a new understanding of that clause of the Constitution, based on a declaration in the US Supreme Court case of *Reid v. Covert* that the territorial doctrine should be abandoned. The idea is to terminate each and every territorial condition by creating a new close relationship between all the insular areas and the US, based on the cession and disposition of

the territories. The cession can, of course, ultimately produce a republic, a state of the union, or a freely associated state, but none of the insular areas would remain a US territory.

When the goal becomes clear, *how* to achieve it can be discussed. With all due respect to the doctrine of self-determination, that principle cannot continue to be an excuse for inaction. "Let's wait until they all agree down there" has by now become an insult. What is really on the table is the notion of "mutual determination."

The first thing that should be ended is the old and discredited game of "Alphonse and Gaston" about who takes the first step. The most blatant example of this traditional ambiguity is the "symbolic" memorandum issued by President Bush on November 30, 1992. It leaves the future of Puerto Rico open to "a general right of referendum or specific referenda spon-

sored either by the US government or the legislature of Puerto Rico," while at the same time states: "If any matters arise involving the fundamentals of Puerto Rico's status, they shall be referred to the Office of the President." What, in heaven's name, are these "fundamentals?" Even the White House does not seem to know. It is time for all sides to be absolutely clear.

The 1992 Democratic Party platform provides an excellent formulation for resolving the problem, one that was certainly transformed into an electoral mandate by the November elections. Endorsed by all three political parties in Puerto Rico, it recognizes the right to self-determination of the insular area in a process to be conducted "in concert" with the US Congress. What does "in concert" mean? The answer is simply that *no one* takes the first step alone, *all concerned parties advance* on a broad front to carry out a joint procedural plan of action to dispose of all remaining US territories and create new forms of political relations as we enter the twenty-first century.

What should such a joint procedural action plan entail? There should be six fundamental stages, to be agreed on by all three sides of the issue (the president, Congress, and the insular areas), before anybody, anywhere, takes a first step. If we achieve such an agreement before anybody moves, all participants can be assured of predictability in their endeavor, and all involved will be assured of action before 1996.

First, we must identify and locate a single coordinating responsibility in the White House. An excellent model is HR 6117 of the 102d Congress, which provides for the self-determined political, social, and economic development of the insular areas. It is a new framework for the development and implementation of insular policy within the executive branch.

Second, we must search for multipartisan consensus in the political process of the insular area on the



substantive options. The governor of Puerto Rico could, by executive order, create a commission on status, representative of all status options and nonaffiliated public interest sectors, to recommend local procedures and definitions leading to a vote, as well as determining the relationship of this local process to the US executive, legislative, and judicial branches. That, apparently, is the prospect of the administration of Pedro Rosselló of the New Progressive Party in Puerto Rico. This would lead to the third step, that of approving legislation for a referendum in the insular area among the options as defined by their proponents.

Fourth, we must implement a "fast-track" procedure for the executive branch and Congress to consider the winning option. During the 1989-91 process, House speaker Thomas Foley made a statement that should serve as a guideline for this stage. He stated unequivocally that the US had a responsibility "to respond" to the will of the people of Puerto Rico. That is all our insular areas can ask for and all that is required by their right to self-determination. The Puerto Rican people, however, will not tolerate being ignored by the US Congress.

A good model for the "fast-track" procedure is Section 5 of HR 4765 of the 101st Congress, which would require legislation to be developed and considered and acted upon in both the House and Senate. It would provide for a 180-calendar day limit on committee consideration, and for consideration by the Congress 14 legislative days after, with the intent of voting on the legislation. The expedited procedures would obligate committees to act and the Congress to vote.

Fifth, we must keep the process open if the option favored by the insular area electorate fails to win approval in the "fast-track" procedure. A good model is Section 7 of HR 4765 of the 101st Congress that would have required the Committee of Interior and Insular Affairs

and the Senate Energy and Natural Resources Committee to make further recommendations on Puerto Rico's political status development if none of the three statuses received a majority in the first referendum, or the implementing legislation was not enacted into law, or the implementing law was not approved in a second referendum. A requirement would be that the recommendations would be developed in consultation with representatives of Puerto Rico's principal political parties, the president, and other appropriate groups or persons. Step six would reserve final approval of the resulting package to a self-determination vote by the people in the insular area.

If these principles to govern the process are agreeable, and if the US executive and congressional branches agree to this procedure *beforehand*, then this new certainty will prevent the effort from becoming, as so many in the past have, derailed or fruitless. A procedural agreement of the kind outlined above is an essential prerequisite to achieve necessary changes before 1996. ■

*Editor's Note: Edited version of a paper presented at the conference "A Time of Change: Relations between the United States and American Samoa, Guam, the Northern Marianas, Puerto Rico and the US Virgin Islands," February 11, 1993, in Washington, DC.*

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# The Chance to Decolonize

by Manuel Rodríguez-Orellana

**T**he politics of US-Puerto Rican relations have too often been officially cast in the context of a "success story." Gen. Nelson A. Miles's rhetorical paroxysms proclaiming the "blessings," not of a status referendum, but of the US military invasion of 1898, were usually accompanied by stories of friendly natives lining his path, welcoming the new rulers with tears of grateful affection. Adding praise to exultation, the Puerto Ricans, spoils of that "splendid little war" against Spain, were shortly thereafter baptized in the Holy Waters of US citizenship by a Congress where, to this day, a Puerto Rican resident commissioner can cast a vote on legislation that affects our island only if it doesn't affect the outcome of the vote.

The 1930s were usually cast in the light of the wonders that federal largess bestowed on our poor, little island of brown, barefoot, uneducated peasants. The 1940s and 1950s reproduced the Horatio Alger success story. "Bootstraps" were purportedly provided by our "partners" up North, who "protected" us from the devious, godless ideologies that might lead us to sin through arrogant temptations of Puerto Rican sovereignty.

The 1960s announced the bountiful harvest to come. Our island would reap the fruits of regaled citizenship through ever larger federal

welfare transfers and mounting body counts in Vietnam.

In the 1970s and through the mid-1980s, Puerto Ricans were at the exit gates of Purgatory, safe from the Evil Empire and ready for the redemptive ecstasy of statehood, which, according to our current resident commissioner, would be especially "for the Poor." Only the Babel sounds of Spanish kept us from Paradise. Because more than 75 years after our baptismal citizenship, 60% of Puerto Ricans admit to speaking no English. Only 20% allege to speak it. The solution in Puerto Rico came in the form of a locally legislated "Miracle of the Absurd."

*Puerto Rico's distinct identity as a Latin American nation of the Caribbean and its political subordination and economic dependence now pose enormous cultural and economic problems for the US.*

In order to cleverly convey the story that all Puerto Ricans speak English, the current government of Puerto Rico made English an "official" language of the island. Now go tell that story to Congress, together with a statehood petition! (If miracles were this cheap, per-

haps Congress should make Japanese an official language!)

I do not mean to imply that there has been no progress, even under a subordinate status whereby Puerto Ricans are governed through federal laws we do not make. Important changes have taken place in Puerto Rico, particularly since the end of World War II.

Puerto Rico's per capita income, inflated by ever-increasing welfare transfers, is possibly the highest in Latin America—although, as 40 years ago, it is still approximately half that of Mississippi. Puerto Rico has also developed a class of competent and prosperous professionals in the commercial and financial areas, comparable to the elites of many industrial nations.

So there has been progress, even if at the expense of democracy. But there are other factors of extreme importance, if we mean to break away from the fallacious notion that we Puerto Ricans must choose either "security" or freedom. For we must recall almost a century of federal and Puerto Rican colonial government practices of discrimination, repression, persecution, and efforts to exterminate our nationality and the independence movement in particular—both when we were a majority or more recently as a minority.

Nonetheless, US leaders with honesty and vision have taken a serious interest in beginning a process that would bring about a principled solution to Puerto Rico's undemocratic plight under the US flag. Several congressional leaders, such as Virgin Islands delegate Ron de Lugo (who must be commended for his new bill, HR 6117—the Insular Areas Policy Act) and former representative

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*Manuel Rodríguez-Orellana is the electoral commissioner of the Partido Independentista Puertorriqueño. His publications include "Legal and Historical Aspects of the Puerto Rican Independence Movement in the Twentieth Century," Revista Jurídica 60 (1991).*



Robert Lagomarsino (whose mistaken support for Puerto Rican statehood contributed to his recent defeat), have made important attempts to raise congressional awareness of the responsibility that arises as a function of power.

Now, almost 95 years after the military invasion by General Miles—and followed by the redesign of our legal system and traditions to suit the new rulers, the unilateral imposition in 1917 of a citizenship we expressly did not want, and the arrogant disregard for the explicit desire for Puerto Rican sovereignty through half a century sprinkled with repeated attempts to stamp out Spanish and unnaturally impose English—Puerto Rico still exists, as President Bill Clinton graciously recognized in a message to the governor-elect, as a “distinct identity.” Not a small feat for Puerto Rican nationality!

So there is a silver lining. We have hope about the intellectual honesty of a generation of Americans that is striving to develop a moral and rational policy towards US territories. “Politics as usual” has overlooked the underpinnings of failure in the present relationship between our two countries.

With the disappearance of communism, however, the dawn of the twenty-first century announces a radically changed international panorama. Nationalities were not dead. Their resurgence in the former Soviet Union, in Eastern Europe, and the resilience of Quebec’s distinct society are sufficient reminders of what Sen. Rubén Berrio, the president of the Partido Independentista Puertorriqueño, wrote in the *Washington Post* (May 23, 1990): “Minorities and majorities come and go; but nationalities remain.”

All nationalities now seek an even break to govern themselves and begin to reap the benefits of free trade in a global economy. Puerto Rico’s distinct identity as a Latin American nation of the Caribbean and its political subordination and economic dependence now

pose enormous cultural and economic problems for the US.

In 1934, 42% of Puerto Ricans received welfare relief from the US. In 1993, more than 50% of Puerto Ricans benefit from the Food Stamp Program. About two-thirds of the population still lives below the federal poverty level.

***“Dependency as salvation” is a failed policy. It is, indeed, “a time for change.” What direction that change will take depends, as usual, on politics.***

The “success story” with which my generation grew up attempts to cover up a failure of historic proportions. The systemic problem continues. The underlying policy of “dependency as salvation” is a failed policy. It is, indeed, “a time for change.” What direction that change will take depends, as usual, on politics. Puerto Rico’s proponents of statehood rely on a Hawaiian model that is totally inapplicable to a different nation like Puerto Rico. Congressional Budget Office estimates place the cost of statehood to US taxpayers at several billion dollars a year more than the dole economy of our present subservient status.

In Puerto Rico, however, proponents of statehood continue to preach a brand of statehood that postulates the nonnegotiable nature of our Spanish vernacular and Puerto Rican culture. They have called it “Jibaro Statehood!” Even Puerto Rico’s governor Pedro Rosselló, who plans to petition for statehood after a referendum this year, affirmed in a letter (October 8, 1990) to US congressional leaders that “All of us agree on the

following: Spanish belongs to all Puerto Ricans, it is not negotiable under any circumstances or political status.”

The US is a unitary country, not a multinational state. As Arthur M. Schlesinger, Jr., notes, “The historic idea of a unifying American identity is now in peril in many arenas—in our politics, our voluntary organizations, our churches, our language.”

In the desire to promote change, the American people and the US government must carefully think about Puerto Rico’s statehood petition when it arrives in Congress. Schlesinger adds, “The ethnic upsurge . . . began as a gesture of protest against Anglocentric culture. It became a cult, and today it threatens to become a counter-revolution against the original theory of America as ‘one people,’ a common culture, a single nation.” For the US, and for a nation like Puerto Rico that refuses to renounce its distinct identity, independence alone provides the necessary flexibility to attain mutually convenient economic arrangements designed to fit the distinct needs of Puerto Rico and the US. What is needed in this time of change is leadership, vision, and common sense. It is a golden opportunity for the Clinton administration.

The US has exercised its power. Now it must assume the responsibility of decolonizing. A smooth transition towards a mutually beneficial arrangement based on sovereignty, which respects the cultural integrity and inalienable right of self-determination of both of our nations, must be guaranteed. The present state of subordination and dependence must be eliminated. ■

*Editor’s Note: Edited version of a paper presented at the conference “A Time of Change: Relations between the United States and American Samoa, Guam, the Northern Marianas, Puerto Rico and the US Virgin Islands,” February 11, 1993, in Washington, DC.*

# The Plebiscite: A Time of Change

by Baltasar Corrada del Río

**W**e should reflect on how gradually—and, perhaps, imperceptibly to those who are most closely involved in the development of the US-Puerto Rican relationship—Washington's attitude towards the resolution of Puerto Rico's political status problem has changed. The perennial lack of consensus among Puerto Rico's three major political parties about the island's future is no longer seen by Congress as sufficient justification for perpetuating the current political entity.

Several efforts have been made to solve the status problem—the latest of which came to an end in 1991. A key element in their failure was a lack of focus on the end result. Great emphasis was placed in giving Puerto Ricans the opportunity to determine their own political destiny but without due regard to how the status options were formulated. Puerto Ricans should be given more than an opportunity to decide among various political status alternatives. The status options presented to the voters must be of a permanent nature in order that exercising self-determination does not become a fruitless effort. If the pursuit for a different or enhanced political status does not come to a conclusion as a result of a plebiscite or referendum, then we would have accomplished very little. The result of the decision-making process must not only be change, but the resulting change must be conclusive and final.

*Baltasar Corrada del Río is Puerto Rico's secretary of state.*

A corollary to the permanence of any status option is, of course, that it be legally effective. And, in the case of a status option that entails a continued relationship with the federal government under the sovereignty of the US, the same must be consistent with the US Constitution. For instance, legal authorities have recognized that the 10th Amendment of the US Constitution, which is reserved for the states, embodies the maximum degree of autonomy possible for a political body under the sovereignty of the US and that no formula of permanent association or union with the US can claim a higher degree of autonomy.

*It is clearly understood that a decision for independence or statehood will be final and conclusive inasmuch as each political status, once achieved, will not be subject to revocation or modification.*

In compliance of his campaign promise, Gov. Pedro Rosselló intends to hold, before the end of his first year in office, a plebiscite between the status alternatives posed by the three major political parties. The statehood and independence

options require no definition since history provides ample demonstration of what each of them entail. It is clearly understood that a decision for independence or statehood will be final and conclusive inasmuch as each political status, once achieved, will not be subject to revocation or modification. Independence and statehood are, therefore, status options of a permanent nature. The Partido Democrático Popular will be responsible for defining the freely associated state or commonwealth formula included in the plebiscite and we urge them to do so in such a manner that the above criterion is met.

Once the status options have been formulated and the plebiscite held, the proponents of the option that is favored by the people of Puerto Rico will negotiate with Congress. The resulting legislation would thereupon be submitted to the Puerto Rican electorate for ratification in a "yes or no" referendum.

In some quarters of Congress, the issue of Puerto Rico's political status has focused on whether Puerto Rico should become a part of the US since Puerto Ricans are said to have a different culture. This view is misguided in two respects: first, the inhabitants of Puerto Rico are natural-born American citizens. Clearly, allowing Puerto Rico to become a state would not mean the incorporation of an alien people into the nation. The insular cases notwithstanding, Puerto Rico has been a part of this nation for a long time. Currently, 2.7 million Puerto Ricans reside in the continental US and 3.6 million on our island. Statehood will not bring about a significant change in the migratory patterns of Puerto Ricans.



In addition to language and ethnic background, our political system and the exercise of democratic liberties are also part of our culture. By choice, Puerto Ricans are governed internally by a constitution that is republican in form and that conforms to that of the US and to the principles of the Declaration of Independence.

Pluralism and diversity have always been key elements in the American nation-building process, and they have not been at odds with the commonly held principles of unity, broad citizen participation in government and the political process, equality of rights, economic growth based on free enterprise, and respect for individual freedoms. If we share a belief in the principles and values on which the political system of this nation has been built, we should have no fear that ethnic and cultural diversity will ever divide it. Quebec, for example, represents more than 25% of the population and land mass of Canada, but Puerto Rico represents less than 1.4% of the total US population and is not a contiguous part of the US.

Like economic development, freedom and democracy cannot be imposed from outside; it must emanate from within the people. The people of Puerto Rico have demonstrated their adherence to those nation-building principles in an exemplary manner and in sharp contrast with other peoples of this hemisphere. For instance, Puerto Ricans have served alongside their fellow citizens from the continental US in every armed conflict since the First World War. And voter participation in elections is higher than that of any state.

In 1991 the adoption of a law that declared Spanish as the only official language of Puerto Rico caused much resentment, not only in the US, but on the island as well. The so-called Spanish Only Act was adopted in the face of widespread popular opposition in the island, and at a time when the national news media was referring to the

legislation for the status plebiscite under consideration in the Senate Energy and Natural Resources Committee as "the statehood plebiscite." A poll commissioned by a major daily newspaper in San Juan showed that two out of three respondents rejected the law that made Spanish the only official language in Puerto Rico.

***Pluralism and diversity have always been key elements in the American nation-building process. If we share a belief in the principles and values on which the political system of this nation has been built, we should have no fear that ethnic and cultural diversity will ever divide it.***

Governor Rosselló ran for office with the promise that his administration would restore English as one of the two official languages. As of January 28, 1993, Spanish and English are once again the official languages of the Commonwealth of Puerto Rico.

### **Section 936**

Section 936 of the US Internal Revenue Code is an element in a model or strategy for economic development—one that is based on providing tax incentives and government assistance to attract manufacturing industries and create jobs. The effectiveness of Section 936 has been greatly reduced over the

years. Although Puerto Rico experienced rapid and strong economic growth during the 1950s and 1960s, it now suffers from unemployment, low labor force participation, a decaying infrastructure, and a bloated public sector resulting from an effort to reduce unemployment. It is widely recognized that the so-called Operation Bootstrap model of economic development is no longer responsive to the present economic and financial conditions of Puerto Rico and the need to develop a broader economic model has been anticipated regardless of the political status chosen by the inhabitants of Puerto Rico. But, however ineffective as an economic development tool, Puerto Rico is still dependent to an important degree on Section 936. Therefore, for as long as Puerto Rico is considered a US possession and until a more comprehensive and lasting development strategy is implemented, the government of Puerto Rico will stand behind the continuance of Section 936 and will vigorously defend it against any further erosion. Moreover, in the event of statehood, an enterprise zone, along with other transitional adjustments, should be implemented so that the shift into the new political status not be disruptive.

A planned and orderly phase-out of Section 936, once we agree on statehood, may be better than the escalating level of uncertainty regarding that section's future. Such a phase-out cannot be made, however, until we have statehood for only statehood can establish the preconditions for a more comprehensive and long-term economic and social development strategy to be effective. Moreover, the political stability associated with statehood will differentiate Puerto Rico from the rest of the Caribbean Basin and stimulate the kind of investment and reinvestment that allows for sustained economic growth that would include, among its major elements, a strong development of our tourism industry.

## No Half-Measures

The future political status of Puerto Rico is ultimately a question of whether its 3.6 million inhabitants will be able to exercise the rights and duties of their US citizenship in their place of birth and residence or whether they will become citizens of a separate and distinct nation, be it with full sovereignty or under some degree of association with the US.

Advancing any other intermediate solution would result in that US citizenship being degraded. That would be advocating that one can be a US citizen yet forever banned from claiming the full extent of its rights, or proposing that US citizenship is not a source of equal rights for those who bear it. Therefore, the current administration will not look favorably to any form of political status that would entail US citizenship without the full exercise of its duties and the enjoyment of all its prerogatives.

Congress and the White House should take no moral comfort in the fact that there is no consensus among the three political parties about the future political status of Puerto Rico. The rights of 3.6 million US citizens demand immediate attention.

Since *Brown v. The Board of Education* (1954), it has been clear that a majority of citizens cannot deprive a minority from the full exercise of their constitutionally protected rights. Therefore, we ask the White House, Congress, and the people of the US to support the right of the people of Puerto Rico to self-determination and to respond favorably to the will of the majority of our people in the plebiscite this year. ■

*Editor's Note: Edited version of a paper presented at the conference "A Time of Change: Relations between the United States and American Samoa, Guam, the Northern Marianas, Puerto Rico and the US Virgin Islands," February 11, 1993, in Washington, DC.*

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# Mutual Respect: Congress Must Act

by Marco Antonio Rigau

**T**he inaction and incoherent actions of the US Congress are allowing US-Puerto Rican relations to drift into a critical situation. Demands on the part of Puerto Rico, either to develop the current relationship or to exercise its right to self-determination have been ignored. Congress has painted the US and Puerto Rico into a corner.

Dependence on the transfer of federal funds grows every year, both in Puerto Rico's budget and mentality. Reliance on incentives that create investment and jobs in Puerto Rico is being unilaterally crippled by Congress, as the situation of Section 936 of the Internal Revenue Code illustrates. This section offered 100% tax exemption to US corporations operating in Puerto Rico. Congress has just amended that section to reduce the percentage of that tax exemption. It is a paradox that while US leaders are trying to correct the budget deficit, nothing is being done to assist Puerto Rico in developing a less dependent and more self-sufficient economy, while maintaining, at least, the present standard of living in the island.

From 1989 to 1991 the people of Puerto Rico, our three political parties, the US president, and the US House of Representatives acted in a timely fashion. We cannot say the same for the US Senate. They did not deliver. They balked. Sen. Daniel Patrick Moynihan, who was not a participant in this mishap, acknowledged this in his book *Pande-*

*monium* (Oxford University Press, 1993): "... The United States Government is caught up with this seemingly intractable problem of resolving the status of Puerto Rico, a prize of colonial war taken from Spain in 1898. ... Despite the urging of President Bush that Congress provide for a referendum



Luis Muñoz Marín (November 1932)

which will enable the citizens of Puerto Rico to make such a choice, Congress has not been willing to do so. Congressional resistance arises largely from the question of whether the island should have the option to choose statehood whilst retaining Spanish as an official language." Now a couple of new developments—a status plebiscite in Puerto Rico on November 14, 1993, and congressional consideration of HR 94—demand that the Clinton administration take a position on Puerto Rico's right to self-determination and develop a procedure for the effective exercise of such a right.

President Clinton recently expressed on national television, "I have strongly supported, in the case of Puerto Rico, self-determination. That is if they have a referendum and they vote to continue their commonwealth status or to become independent or to become a state, whatever they decide, I will support."

Having reaffirmed its commitment to self-determination, the Clinton administration should endorse a "fast-track" procedure in Congress to respond to the November 14 vote. With that done, they should next recognize the existence of the Puerto Rican people as a unique and distinct people, by granting all Puerto Ricans the right to participate in this process. Finally, the administration should clarify the legal and political nature of the current relationship.

Concerning the implementation of a "fast-track" procedure, we strongly believe that HR 94 should be amended to include such a procedure. It is essential for Congress to respond to the petition made by the people of Puerto Rico in the November vote. The "fast-track" procedure will reduce the uncertainty period to a minimum, prod Congress to face the issue truthfully and squarely, and give the people of Puerto Rico some solid parameters onto what to expect from US policy.

What about the more than 2.5 million Puerto Ricans living outside the island? They feel they have a right to have a say in the decision of their country's political destiny. We in the Partido Democrático Popular agree with them and have supported their participation in the November vote. But the statehood government believes otherwise and

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Marco Antonio Rigau is a senator of Puerto Rico and a member of the Partido Democrático Popular.

defeated the amendments we presented to address their participation. In response to that, the Puerto Rican community in the US organized a three-day status vote in October 1993. They are doing their part. When the time comes, Congress must do its part to ensure their participation in the final vote to determine political status. Puerto Ricans have the right to be recognized by Congress and the international community as a distinct nationality, as a unique people.

Finally, the US must clarify the legal nature of the current relationship between it and Puerto Rico. The people of Puerto Rico have believed that the relationship forged in 1952 ended their territorial condition. This relationship was said to be entered "in the nature of a compact." Notwithstanding, Section 9 of the Federal Relations Act between the US and Puerto Rico concedes a generic delegation of legislative powers to the Congress. Said delegation to Congress is a denial of the agreement. One partner cannot have the right to unilaterally change the rules of the game. It is contrary to international law and public morality.

The federal courts have issued conflicting opinions regarding the nature of the commonwealth. In *Harris v. Rosario* (1980), the Supreme Court stated that Congress can legislate over Puerto Rico under the powers of the Territorial Clause. Two years later, however, in *Rodriguez v. PPD* (1982), it went on to say that "Puerto Rico like a state, is an autonomous political entity, sovereign over matters not ruled by the Constitution." Based on that dicta, the Court of Appeals for the First Circuit in *US v. Quiñones* (1985), stated that "... in 1952 Puerto Rico ceased being a territory of the United States subject to the plenary powers of Congress as provided in the Federal Constitution."

Just recently the Eleventh Circuit concluded in *US v. Sánchez* (June 1993), that Puerto Rico is still a US territory and that the common-

## A New Pattern of Freedom

Puerto Rico needs to be "placed" afresh in the US mind—placed not just geographically, but economically, culturally, and juridically, so that the deeper political meaning of its relationships can be seen in new and correct perspective. Puerto Rican affairs have been moving full-steam ahead. The island is no longer a liability but a credit. . . .

To bring the picture into focus, the following facts must be established at the start: Puerto Rico is not asking for statehood. Puerto Rico is not demanding independence. Puerto Rico is deadset against colonialism. In other words, Puerto Rico is developing a new pattern of political freedom. . . .

A political form had to be developed to fit the economic facts, the cultural realities, the free and yet non-nationalistic ideals of the people. It also had to meet the legitimate economic and military interests of the US, as well as the broader interests implicit in the relationship. It had to demonstrate to the world the significance and the sincerity of the attitude of the US in its dealings with this underdeveloped, civilized and freedom-loving community of the Latin world in the American hemisphere.

. . . Throughout its history Puerto Rico has been neither separatist nor assimilationist. It was never so in Spanish times; and what it was then it is now. It endeavors to keep its own personality, its collective sense of itself, and it retains its loyalty to a broader political system, which is also, as I have indicated, a way of being loyal to a conception of the brotherhood of man. The position can perhaps be described as autonomist, as distinguished from both separatist and federalist. Out of this tradition the commonwealth status evolved. . . .

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*Editor's Note: Excerpted with permission from Luis Muñoz Marín, "Puerto Rico and the US, Their Future Together," Foreign Affairs (July 1954).*

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wealth's creation in 1952 did not alter that. This decision stated that "With each new organic act, first the Foraker Act in 1902, then the Jones Act in 1917, and then the Federal Relations Act in 1950 and later amendments, Congress has simply delegated more authority to Puerto Rico over local matters. But this has not changed in any way Puerto Rico's constitutional status as a territory, or the source of power over Puerto Rico. Congress continues to be the ultimate source of power pursuant to the Territory Clause of the Constitution. . . . Congress may unilaterally repeal the Puerto Rican Constitution or the Puerto Rican Federal Relations Act

and replace them with any rules or regulations of its choice." As of now, therefore, a conflict exists between the First and Eleventh Circuits as to the legal nature of the commonwealth status. This conflict has not yet been resolved by the Supreme Court in a definitive matter.

Interpretations by the executive branch regarding the nature of the current relationship have been equally conflicting. While the Kennedy administration issued a memorandum that recognized the "unique relationship" between Puerto Rico and the US, the Bush administration issued a new memorandum that stated that Puerto Rico is still a US territory.



The legal nature of the current commonwealth is unclear. Failure of the political branches to act decisively to clarify this situation, one way or the other, has compounded the issue. Congress and the president must present a clear picture to the people of Puerto Rico so that we can finally enter into a relationship with the US that is without a doubt nonterritorial in nature.

In our proposed definition for the plebiscite, the Partido Democrático Popular tackles this issue by stating that commonwealth must be "consecrated in a bilateral compact which can only be altered by mutual consent." The US government would not be able to unilaterally alter the terms of the relationship in this freely associated state or nonterritorial commonwealth. As we had stated in 1989: "The enhancements to the commonwealth have to be in regards to the nature of the relation-

***Congress and the president must present a clear picture to the people of Puerto Rico so that we can finally enter into a relationship with the US that is without a doubt non-territorial in nature.***

ship. A bilateral compact must be established so that neither of the two parties, nor Puerto Rico nor the United States, may amend unilaterally. That is the permanent union" (*El Nuevo Día*, February 23, 1989).

A bilateral compact would be one between equals, which guarantees the nonterritorial condition of the commonwealth. Under US constitutional law, territories cannot establish bilateral compacts with the federal government. The freely associated state or commonwealth that the Partido Democrático Popular proposes can.

This definition is the first step in the process of developing the non-territorial commonwealth of Puerto Rico or free associated state, an association between two countries. If favored by our people, it will be submitted to Congress and to the president. Then, a process of negotiation will begin that will define for the US and Puerto Rico the real and possible parameters of that development. We stand confident it will comply with US constitutional law, international law, and with the aspirations to dignity and prosperity held by the Puerto Rican people and the US. ■

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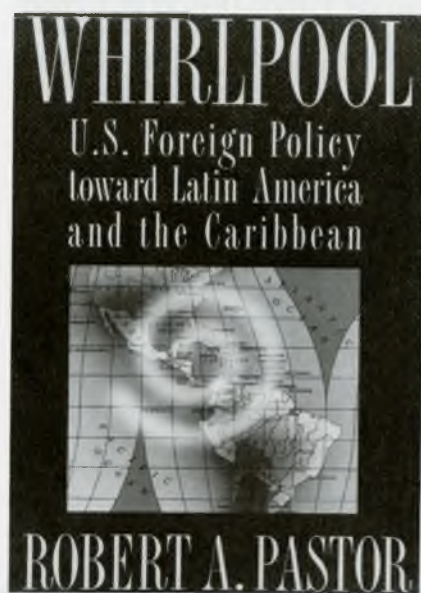
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# A New Course in Foreign Affairs?

by Joseph S. Tulchin



**Whirlpool: US Foreign Policy toward Latin America and the Caribbean**

by Robert A. Pastor. Princeton University Press, 1992. 338 p.

**W**ith the end of the Cold War and the implosion of the Soviet Union, a debate erupted over what the most appropriate role for the US would be in the new world and what foreign policy it should adopt to play that role. As to how the world will be ordered in the coming years, much remains to be decided. With regard to Latin America, several vital questions cry out for answers: how Latin

America will fit into the new world order; whether Latin America can sustain the democracies so recently restored or established; whether the transition from closed economies to more open economies is permanent or reversible; how the weakened states and the shaky economies will deal with the growing social deficits that affront the conscience and the populist traditions of the region; and what will be the nature of Latin America's relationship with the US now that the threat from the Soviet Union has disappeared.

Robert A. Pastor, former member of the National Security Council (NSC) during the Carter administration and now professor of political science at Emory University and executive secretary of the Carter Center's Council of Freely-Elected Heads of Government, offers answers to these questions and more in the best book on hemispheric relations since Federico G. Gil's *Latin American-United States Relations* was published nearly 25 years ago. Pastor's is the first book to rank with Gil's in combining, with such grace and skill, broad erudition and a shrewd sense of the policy process, an appreciation of US national interests, and an understanding of Latin America.

## Into the Whirlpool

Pastor uses the metaphor of the whirlpool to describe the nature of US relations with Latin America. He suggests that Latin American affairs are like a whirlpool that sucks the US into the vortex of Latin American problems in an obsessive manner. His purpose is "to understand the causes of the periodic

obsessions with that closer region [the Caribbean], so that future policy reflects a longer term definition of US interests and a more balanced approach to all of Latin America and the Caribbean" (p. 25). The contours of the whirlpool are determined by five conditions: differing interpretations of history; the vast disparity in power and wealth between the US and the nations of Latin America; divergent perceptions of events; Latin America's chronic instability and proximity to the US; and the impact of international rivalries on local conflicts (p. 204). Pastor explores with great skill the history of US policy toward Latin America so that we understand the origins of these conditions. Precisely because he has read widely and well in the historical literature, he sees patterns that most analysts of public policy miss and that lead him to make what I consider one of his most important points: that the end of the Cold War has not solved—and will not solve—our problems in the hemisphere. It is still necessary, then, to learn how to get out of the whirlpool.

The first section of the book sets the stage for his argument by providing a quick history of US relations with Latin America in the twentieth century. Pastor uses a detailed discussion of Panamanian strongman Omar Torrijos as a symbol of the complexities of Latin America. It is a discussion that also serves to explain why the US has so much difficulty understanding those complexities. It is a subtle argument that is hard to summarize in few words. Essentially, however, Pastor uses Torrijos to explore what he considers the major dimensions of Latin America: national-

Joseph S. Tulchin is the director of the Woodrow Wilson Center's Latin American Program in Washington, DC. He is the author of *Argentina and the United States: A Conflicted Relationship* (Boston: Twayne, 1990).



ism, autonomy, and dependence; the political left and right; and democracy and development. Despite his defects, Torrijos is a hero to Pastor, mainly because he was instrumental in securing passage of the Panama Canal treaties.

The second section is a series of chapters on the policy of the Carter, Reagan, and Bush administrations. This section includes a final chapter on the relationship between the executive—in Pastor's view, clearly the principal actor—and the Congress, which he calls the "great compensator" (p. 116). In the third section, Pastor returns to the major elements or problems that he described in the opening chapter: succession crises, revolutionary regimes, development, and democracy. While this is an extraordinarily broad range of issues, Pastor demonstrates his virtuosity in dealing with economic, political, and cultural matters with equal ease.

### Out of the Whirlpool?

Pastor finishes with a five-chapter section in which he offers suggestions on how the US can get out of the whirlpool, and how it can formulate a flexible policy that is best suited to the post-Cold War period and sympathetic to the interests of Latin American nations. This section is characterized by an evenhandedness not common to books on inter-American relations. He gives blame where it is due, emphasizing, as his whirlpool metaphor suggests, that the US and the Latin Americans are in this together and that it does no good for either to blame the other without assuming a fair share of the responsibility. This is not an obvious point, nor

an easy one, because it gets to the heart of ideological debates both in this country and in Latin America. Conservatives in the US are too quick to assume that the blame for Latin American underdevelopment lies either within the Latin Americans themselves or is caused by some evil outsider. On the other hand, many in Latin America, on the left and right, foist the blame for their region's problems on the US, as if everything in the region would be fine if only the US would either go away or behave properly, whatever that means. To Pastor's credit, he insists that both the US and Latin America share in the responsibility for getting out of the whirlpool.

***The end of the Cold War has not solved—and will not solve—our problems in the hemisphere. It is still necessary, then, to learn how to get out of the whirlpool.***

Pastor's prescription for US policy is not remarkably innovative. We have heard it before—from gringos like Abraham Lowenthal and myself, as well as from Latin Americans like Carlos Rico, Heraldo Muñoz, and Luis Guillermo Solís, among others. He urges the US government to be more sympathetic to the needs of Latin Amer-

ica, to be more patient with and tolerant of their rhetorical flourishes, and, most significant, to move toward a multilateral approach to security issues. Most specifically, he calls for multilateral protection of democracy and guarantees for human rights in the hemisphere. Pastor's argument is convincing because he sets it up so well. He demonstrates that, while the Cold War appears to have ended, the pattern of external threats to the hemisphere that stimulated US concern for its security in the past could recur at any time. Meanwhile, threats to our security come from what are known as *global issues*—such as drug trafficking, environmental degradation, illegal migration, arms proliferation, and problems of public health. Unlike traditional threats to our security, such global threats must be confronted not unilaterally, but multilaterally (chapter 12).

He uses Nicaragua's transition to democracy to show how the rules of the game have changed, "redrawing the political boundaries of sovereignty," by legitimizing external multilateral intervention in support of democracy. Then, in a chapter on the Mexican economic restructuring program, he extends the argument to "renegotiating the economic boundaries [of sovereignty]," suggesting that we are about to overcome Latin American nationalism and enter a new stage marked by economic collaboration and cooperation to the benefit of all.

Having set up the argument, Pastor pushes home the point by insisting "that the hemisphere is on the verge of a transformation. What is needed now are ideas and leadership" (p. 278). The goals of this new policy will be the security

of nations in the region through collective security, guarantees for democracy and human rights, the promotion of economic development, and improvement of the quality of life. To accomplish these goals, Pastor calls for a new system of collective obligations and responsibilities (pp. 288-89). In choosing his goals, Pastor is right on target; and in pointing to the way we can accomplish these goals and get out of the whirlpool, he is headed in the right direction.

I differ with Pastor on a few points. My first is analytical: to explain the seemingly sudden shifts from obsession to disinterest, it is necessary to explore the crucial link between US foreign policy and domestic politics in determining which events or episodes overseas are perceived as crises. For example, the civil war in El Salvador became a crisis in US foreign policy in the early 1980s because the American people thought they saw another Vietnam coming, another quagmire, and they did not want any part of it. As I have argued at greater length elsewhere, how the Latin American struggle was perceived converted it into a crisis; once the American public was convinced the country was not about to get bogged down in Central America, El Salvador ceased to be a crisis and ceased to be news. The same can be said about Nicaragua 10 years later.

The civil war in El Salvador was important in understanding how US foreign policy is formulated because it marked the emergence of the Congress as a significant actor, not just as a great compensator. Perhaps Pastor's perception of the policy process was skewed by his time in the NSC bunker. After Watergate and after Vietnam, Congress acquired its own, independent information-gathering capacity. The most telling episode came when Secretary of Defense Caspar Weinberger called a news conference to issue a "White Paper" detailing the involvement of external forces in the Salvadoran

conflict. Within days, the congressional opponents of the administration's policy issued their own "White Paper" refuting the administration's claims, with the evening news seeming to confirm Congress's findings, not the administration's.

*To explain the seemingly sudden shifts from obsession to disinterest, it is necessary to explore the crucial link between US foreign policy and domestic politics in determining which events or episodes overseas are perceived as crises.*

Pastor is a bit too optimistic about the future. I agree completely with his evaluation of the significance of the Nicaraguan episode. It did indeed stretch the envelope of sovereignty and open the way to community defense of democracy. But I disagree that Haiti is another case that strengthens the international community's push for democracy. The rules of the game were rewritten with the consensus of the major political actors in Nicaragua in agreement with the international community. That is not the case in Haiti and, as of this writing, there is little evidence the political forces in Haiti are even close to complete agreement about how their country should be ruled. My guess is, again, that Pastor's perception is influenced by where he sits—he has observed too many elections. He may have become convinced that democracy is a

matter of good elections, and vice versa. Clean, well-observed elections may be a necessary condition for a functioning democracy, but they are far from being the sufficient condition. Moreover, what is to prevent a multilateral intervention from being sucked into local politics, as occurred with US involvement in historical cases such as Nicaragua or the Dominican Republic and as, more recently, the UN did in Somalia and the OAS in Nicaragua?

In addition, Pastor is too optimistic in seeing the inevitability of multilateral action in the hemisphere. The problem is not merely to do things in a multilateral fashion. The key is to empower the other nations who form part of the multilateral community. The movement for peace in Central America was successful precisely because the presidents of the subregion took matters into their own hands despite the US. There is mounting evidence—which provides solid grounds for optimism—that the nations of Latin America are now convinced that they must form a community to defend democracy and human rights. But there is little evidence thus far that the US is prepared to cede either power or part of the responsibility for managing things in the region to others. Until that happens, multilateralism will be a hollow concept that will only frustrate the nations of Latin America.

Finally, I have a tiny quibble. I wanted to learn more about policy formulation during the Carter administration. I realize Pastor wanted to establish some balance in his chronological treatment and that a "kiss and tell" book was inappropriate given his current position at the Carter Center. Nevertheless, he could have told us a bit more about differences among the Carterites than he did.

All in all, however, Pastor's contribution leads us in the right direction. Let's hope his optimism about the future of hemispheric relations is well-founded. ■





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# The US, Cuba, and Puerto Rico

by Marian Goslinga

**W**ithin the framework of US foreign policy, the Caribbean has always occupied a special niche. The larger islands, in particular, have had a close relationship with their neighbor to the north—a relationship frequently mired in ambiguity.

This bibliography focuses on Cuba and Puerto Rico and their respective relationships with the US during the last 30 years. The literature on Cuba far outnumbers that on Puerto Rico. This has always been the case, but particularly since the 1959 revolution. The "Pearl of the Antilles" continues to have an enduring fascination for North American writers—a fascination fueled by controversy and strife. Stable Puerto Rico, on the other hand, suffers in comparison, in spite of the question of its political status.

**American History: A View from Cuba.** Oscar Zanetti. *Journal of American History*, v. 79, no. 2 (September 1992), p. 530-32. [Demonstrates how the US has influenced the course of Cuban history.]

**At Arm's Length, or Closer?** [Continuing Debate over Statehood or Independence for Puerto Rico]. *The Economist*, v. 326 (January 9, 1993), p. 26-27. [Gov. Pedro Rosselló believes economic prosperity for Puerto Rico depends on stronger relations with the US. Polls show, however, that 48% of the population is against statehood.]

**Back from the Brink: The Correspondence between President John F. Kennedy and Chairman Nikita S. Khrushchev on the Cuban Missile Crisis of Autumn 1962.** *Problems of Communism*, v. 41 (Spring 1992), p. 1-120. [Special issue with text of correspondence and comments.]

**The Blockade against Cuba: A Strategy Bound to Fail.** Mary Murray. *Political Affairs*, v. 71, no. 7 (August 1992), p. 13-16. [Asserts that without international cooperation, the embargo has no chance.]

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Marian Goslinga is the Latin American and Caribbean librarian at Florida International University.

**The Caribbean Crisis: A View from the Kremlin.** Oleg Troyanovski. *International Affairs* (April-May 1992), p. 147-57. [A former assistant to Soviet leader Nikita Khrushchev examines the Cuban Missile Crisis.]

**Castro under Siege.** Samuel Farber. *World Policy Journal*, v. 9 (Spring 1992), p. 329-48. [Assesses the role of the US blockade in strengthening the regime's grip over the Cuban people.]

**Castro's Scapegoats.** Martin Arostegui. *National Review*, v. 44, no. 25 (December 28, 1992), p. 33-36. [Examines the involvement of Fidel Castro's government in drug smuggling.]

**Castro: To Fall or Not to Fall?** Wayne S. Smith. *SAIS Review*, v. 12 (Summer/Fall 1992), p. 97-110. [Discusses current socioeconomic and political conditions in Cuba and lists US policy options.]

**Clinton's Cuba Policy: A Low-Priority Dilemma.** Saul Landau. *NACLA's Report on the Americas*, v. 26, no. 5 (May 1993), p. 35-37. [Discusses the factors influencing President Bill Clinton's low-priority treatment of US-Cuban relations.]

**The Correct Line on Castro's Cuba.** Irving L. Horowitz. *New Leader*, v. 75, no. 5 (April 6, 1992), p. 11-13. [Asserts that US policy

toward Cuba has been marked by noninterventionism based more on hesitancy than action.]

**Cuba Adrift in a Postcommunist World.** Edward Gonzalez, David Ronfeldt. Santa Monica, Calif.: Rand Corporation, 1992. 82 p. [Examines US policy options.]

**Cuba after Communism.** Eliana Cardoso, Ann Helwege. Cambridge, Mass.: MIT Press, 1992. 148 p. [Discusses prospects for the Cuban economy and a possible role for the US.]

**Cuba in Crisis: Will Fidel Share the Fate of Other Communist Leaders?** Rodman D. Griffin. *CQ Researcher*, v. 1 (November 29, 1991), p. 897-919. [Analyzes the political alternatives available to Castro and the chances for normalizing US-Cuban relations.]

**Cuba in Transition: Socialist Order under Siege.** Sahadeo Basdeo. *Caribbean Affairs*, v. 5, no. 4 (1992), p. 91-117. [Suggests that, rather than military intervention, the US should follow a policy of negotiation in its dealings with Cuba.]

**The Cuba Lobby: From Sub-Cabinet Appointments to Government Broadcasting.** George Gedda. *Foreign Service Journal*, v. 70, no. 24 (June 1993), p. 6+. [Discusses the pressure exerted by Florida-Cuban



exile groups, headed by Jorge Mas Canosa, to maintain the US economic embargo and propaganda efforts against the Castro regime.]

#### **Cuba Looks to the Year 2000.**

Marc Frank. New York: International Publishers, 1993. 225 p. [Analyzes the state of Cuban socialism, including the rectification movement.]

**Cuba's Lost Horizon.** John Simpson. *World Monitor* (May 1993), p. 38-43. [According to the author, despite the US trade embargo, the island is not on the brink of collapse.]

**Cuba: a la sumisión por el hambre.** Ian Williams. *Nexos*, v. 15, no. 180 (December 1992), p. 43-45. [Contents that the US intends to starve the Cuban people into rebellion.]

**Cuba: asimetrías.** Jesús Orozco Zablah. *Este País*, no. 23 (February 1993), p. 23-27. [Compares public opinion in the US and Mexico concerning Cuba's political situation.]

**Cuba: Implications of Trade and Business with the US.** James D. Whisenand. *Butterworth's Journal of International Banking and Financial Law*, v. 7, no. 9 (September 1992), p. 414-20, and v. 7, no. 10 (October 1992), p. 476-83. [This two-part analysis traces the history of US-Cuban trade and examines the legal foundation of the US trade embargo.]

**Cuba: Moving Back to the Future with Tourism.** Gerald R. Webster. *Journal of Geography*, v. 91, no. 5 (September-October 1992), p. 226-33. [Discusses the Cuban tourist industry and US travel restrictions.]

**Cuba: On Their Bikes.** Andrew Whitehead, Ian Williams. *New Statesman Society*, v. 5, no. 228 (November 13, 1992), p. 16-18. [Describes the daily manifestations of Cuba's severe economic crisis brought on largely by the US trade embargo.]

**Cuba: The Domino that Refuses to Fall.** Clifford E. Griffin. *Caribbean Affairs*, v. 5, no. 1 (1992), p. 24-42. [Asserts that, while there is no doubt Cuban socialism is under great stress, expectations about an imminent collapse are wishful thinking.]

**The Cuban Missile Crisis Revisited.** James A. Nathan. New York: St. Martin's Press, 1992. 302 p. [Reevaluation of the 1962 crisis in light of recently released information by the US, Russia, and Cuba.]

**Dateline Washington: Cuban-American Clout.** Carla Anne Robbins. *Foreign Policy*, no. 88 (Fall 1992), p. 162-82.

**The Disenchanted Island: Puerto Rico and the United States in the Twentieth Century.** Ronald Fernandez. Westport, Conn.: Praeger, 1992. 264 p. [Analyzes Puerto Rico's political status and aspirations since 1898 with particular reference to the independence movement.]

**Foreign Policy Failures in China, Cuba, and Nicaragua: A Paradigm.** Ray S. Cline, Roger W. Fontaine. Washington, DC: US Global Strategy Council, 1992. 246 p.

**Framing the Enemy: New York Times Coverage of Cuba in the 1980's.** Silvo Lenart, Harry R. Targ. *Peace and Change*, v. 17 (July 1992), p. 341-62. [Argues that US media

portrayal of Cuba has shifted to accommodate the post-Cold War structure of international relations with greater focus on domestic issues, especially human rights.]

**Getting Ready for Cuba after Castro.** Rudi Dornbusch. *Business Week*, no. 3320 (May 24, 1993), p. 19. [Discusses US policy options to promote stability in Cuba and to prevent extremist groups from taking control. These policies include the elimination of trade restrictions and the restructuring of the national debt.]

**A Hurricane Heads for Puerto Rico: Yanking a Tax Break Called 936 Could Set Off an Economic Storm.** Gail DeGeorge. *Business Week* (June 14, 1993), p. 52+.

**The Impact of Global Economic Investment and Commercial Trends on Post-Castro Cuba.** Antonio Villamil. *North-South*, v. 2, no. 6 (April-May 1993), p. 29-32. [Comments that a post-Castro government will need to forge strong ties with the US in order to survive in the rapidly changing world of the 1990s.]

**In Fidel Castro's Grim Backyard.** John Simpson. *Spectator*, v. 270 (February 27, 1993), p. 11-13. [Asserts that US press reports of the imminent downfall of Castro are unfounded. The people are critical of social hardships, but blame the US embargo for Cuba's problems.]

**Is Cuba Next?** Mark Falcoff. *Commentary*, v. 94, no. 5 (November 1992), p. 42-46. [Asserts that anti-Americanism, skillfully exploited by Fidel Castro, is one of the main reasons communism survives in Cuba.]

**Knot in US-Cuba Relations Remains Tied.** Gao Ping. *Beijing Review*, v. 35 (September 7, 1992), p. 14-16.

**The Navy as Social Provider in Vieques, Puerto Rico.** Sara Grusky. *Armed Forces and Society*, v. 18 (Winter 1992), p. 215-30. [Examines the Navy's role in influencing social, political, and economic development on the island of Vieques.]

**Now It's U.S. Policy: Starving Cuba into Submission.** Ian Williams. *The Nation*, v. 255, no. 13 (October 26, 1992), p. 464-66. [Discusses the impact of the Cuban Democracy Act, which aims to tighten the US embargo against Cuba.]

**Puerto Rico no quiere ser tan hispano y lo dice bien alto.** Claudio Alvarez Dunn. *Cambio*, v. 16 (December 23, 1991), p. 106. [Comments on the December 8, 1991, referendum and the decision to continue commonwealth status.]

**Puerto Rico's Cloudy Future.** Juan M. García Passalacqua. *World and I*, v. 7 (November 1992), p. 106-11. [Discusses the implications of statehood, commonwealth, or independence.]

**The Radio and TV Martí Controversy: A Re-Examination.** Kyu Ho Youm. *Gazette*, v. 48, no. 2 (1991), p. 95-103. [Considers the international legality of US broadcasting policy aimed at Cuba.]

**Researching United States Relations with the Cuban Revolution.** Louis A. Pérez, Jr. *Pacific Historical Review*, v. 61, no. 1 (1992), p. 115-20. [Reviews US-Cuban relations during 1958-60.]

**Risky Business? The Cuban Democracy Act of 1992.** Susan Kaufman Purcell. *Hemisphere*, v. 4, no. 3 (Summer 1992), p. 6-7. [Analyzes the Cuban Democracy Act, which was introduced in the US House of Representatives on February 5, 1992, by Rep. Robert Torricelli (D-NJ).]

**The Secrets of Castro's Staying Power.** Jorge I. Domínguez. *Foreign Affairs*, v. 72, no. 2 (Spring 1993), p. 97-107. [Asserts that the Castro regime endures in part because of US policies.]

**Television Martí: Electronic Invasion in the Post-Cold War.** Laurien Alexandre. *Media, Culture & Society*, v. 14 (October 1992), p. 523-40.

**The Torricelli Bill: Tightening the Chokehold on Cuba.** Saul Landau. *The Nation*, v. 254, no. 23 (June 15, 1992), p. 818-20.

**UN Vote Condemns US Trade Embargo on Cuba.** Sara Lobman. *Militant*, v. 56, no. 45, p. 1-12.

**United States Economic Measures against Cuba: Proceedings in the United Nations and International Law Issues.** Michael Krinsky, David Golove. Northampton, Mass.: Aletheia Press, 1993. 331 p. [Compendium of documents on the US trade embargo against Cuba.]

**El veto de Washington no importa: la apertura de Cuba atrae inversionistas, sobre todo estadounidenses.** Homero Campa. *Proceso*, v. 15, no. 817 (June 29, 1992), p. 40-43. [Comments upon the Cuban government's successful drive to attract foreign investment.]

**Why Does Castro Survive?** J. Richard Planas. *World Affairs*, v. 154 (Winter 1992), p. 87-93.

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