

The Werewolves Who Hated Castro

The Little Havana celebrations of Fidel Castro's death last month had a touch of mean-spirited delusion since perhaps Castro's greatest achievement was defying American power and living to die of old age, observes Greg Maybury.

By Greg Maybury

Considering the deluge of bitterness and pique oozing from many in the U.S. political establishment in response to the death recently of Cuba's former leader Fidel Castro, even some folks with more than a passing knowledge of key world events and history in general, might've been left wondering what all the fuss was about. Castro – a man as reviled as he was revered – led that country's 1959 revolution, one of the most portentous tipping points in the Cold War, if not in modern history.

The following might serve at the outset to give such people an idea as to why his passing provoked such a bilious response from Washington. As Wayne Smith, a former U.S. diplomat and ambassador to Cuba in the early years of Castro's reign under President Dwight Eisenhower (Smith was later President Jimmy Carter's Cuban representative), once memorably opined, "Cuba seems to have the same effect on US administrations as the full moon has on werewolves."

Now Smith might've said this almost three decades ago, but as the reaction to the Cuban leader's death indicated, this reality persists, despite the recent thaw in official relations initiated by President Obama. To be sure, there's rarely been a shortage of countries that could lay claim to having this transformative effect on the collective psyche of U.S. political establishment, Iran being a prime example.

But it is Cuba that stands out as an exemplar, and so much of that has to do with Castro himself. Put simply, among the iconic revolutionary's many talents was an unerring ability to get up Uncle Sam's nose, and get away with it so often for so long. Suffice to say, since they seem to have inherited the same basic instincts as their forebears, the bulk of present-day Washington's "Werewolves" must've been privately "howling at the moon" as it were at the *Comandante's* demise at age 90.

Castro was the only world leader who resisted U.S. hegemony and lived to tell the tale, surviving by some accounts more than 630 separate assassination attempts over decades. Indeed, it would not be a surprise if the individual who came up with the expression "terminate with extreme prejudice" had Fidel in mind.

Such is the animus towards all things Cuba and Castro, President George W. Bush refused his offer to provide teams of doctors to assist the Hurricane Katrina relief effort in 2005, one of modern America's worst natural disasters. And with folks like former House Speaker Newt Gingrich labeling Castro a "tyrant" and likewise President-elect Donald Trump dismissing the former Cuban leader as a "brutal dictator" (while also placing in doubt the future of the recent rapprochement with Cuba), it's clear that "animus" is still alive and kicking. For many, Castro's passing is unlikely to change this much. The Werewolves have long memories.

A Historic Turning Point

Although Castro came to power at the tail end of the Eisenhower era, he was catapulted to world prominence shortly after the inauguration of President John F Kennedy in 1961. It was on JFK's watch that the attempts to assassinate Castro began in earnest, all under cover of the infamous Operation Mongoose; this decidedly dodgy "black-op" involved the CIA working in collaboration with the Mafia no less, and assorted pissed-off Cuban expatriates, exiles, and Batista regime "refugees," all seeking to take back the "farm." All this was with the full knowledge of JFK's brother Attorney General Robert Kennedy.

Although there is much conjecture as to whether JFK actually did know himself about Mongoose's key objective, some find it difficult to accept he *didn't* know given the brothers were "joined at the hip." If indeed JFK did know, then he either ordered those involved – including Bobby – to stop *and* they were ignored, *or* JFK acquiesced. In the latter case, while he may not have been happy with doing so, such was the pressure on him over the Cuban "situation," he may have gone along with it reluctantly. Like with so much of the JFK mythology, we may never know the answer.

Either way, Castro reportedly was deeply disturbed by JFK's 1963 assassination, and the *Comandante* had good reason. Quite apart from having his hopes dashed for a rapprochement with the U.S. (JFK had earlier opened a back-channel communication link with the Cuban government, seeking to ease the tensions between them), Castro knew full well that if the U.S. could plausibly blame him for JFK's murder – which he instinctively felt they'd try to do and which may have been the intention of those who engineered the hit – it would surely have escalated U.S. attacks on Cuba.

The following should further underscore the significant role played by Cuba during the Cold War. When asked in the acclaimed 2003 Errol Morris film *Fog of War* about the 1962 Cuban Missile Crisis – specifically, "how close" did the U.S. and the USSR come to an all-out nuclear exchange – then U.S. Defense Secretary Robert McNamara chillingly revealed that the two powers came "*that* close"

(picture a grim-faced McNamara putting the tips of his thumb and forefinger so close there was little daylight between them).

The missile crisis was itself precipitated by Castro, who became an ally of the Soviet Union not long after the revolution of 1959 and who feared a full-scale U.S. invasion after the botched attempt at the Bay of Pigs in 1961. He invited Soviet premier Nikita Khrushchev to put some medium-range nuclear ballistic missiles on the island country (a counterpoint to U.S. missiles installed in Turkey).

As Cuba was located less than 90 miles from Florida, this triggered the scariest, most public, and potentially apocalyptic standoff between the two nuclear superpower archrivals. The stakes for humanity had never been greater.

Botched Regime Change

At this point it's instructive to look back at some of the *pre-revolution* history of Cuba and its relationship with its giant neighbor. For our purposes though it is both sufficient and necessary to consider in some detail that other seminal historical tipping point of the Cold War involving Cuba and America, the Bay of Pigs invasion.

For those "buffs" of America's regime change track record, along with its recidivistic propensity for interfering in the affairs – and ruthlessly exploiting both the resources and people – of other countries, the story of Cuba is one with which most will be well acquainted. From the early-to-mid 1950s, Castro fomented a popular revolution, and in 1959 after years of vicious, oppressive and corrupt rule by the U.S. client-dictator Fulgencio Batista, the rebels ousted him.

This is not an unfamiliar motif in the U.S. foreign policy narrative whereby the world's loudest exponent of liberty, human rights, democracy, freedom and the rule of law, consistently relied on "klepto-brutocracies" like Batista's to deliver *anything but* the above to their own people, almost always with varying degrees of unerring, bloody, tragic failure for them.

As for Batista, he'd earned his rightful place in the Client Dictators' Hall of Fame, and then some. For years his rule generated deep-seated discontent, all of which seemed to go unnoticed by the Americans. He, his cronies and the Cuban elites of the era were enthusiastic supporters and beneficiaries of American business involvement in Cuba and, in particular, of the Mob (Batista was in the pocket of the notorious Mafia *capo di tutt'i capi* Meyer Lansky). All were making millions from gambling, prostitution, hospitality and tourism while bleeding the country dry and leaving the general populace far below the poverty line.

To say the Cuban people then were unhappy campers does not begin to describe the political, economic and social climate at the time. Eventually the chickens came home to roost for Batista as they do for most of America's client dictators, although usually too late for those who've suffered under their sclerotic rule.

Much like the Shah of Iran 20 years later and Mobuto Sese Seko in the Democratic Republic of the Congo in 1997 to name just two examples, the U.S. left its hapless client up that brown creek without a paddle when it became obvious just how restless the natives were and how little the Americans could do about it.

In order to avoid having his corrupt and brutal ass tarred and feathered by his ungrateful subjects and run out of town, Batista quit his day job and rode off into the sunset, consoling himself by filling his saddlebags with a large swag of looted booty.

Castro, along with his brother Raul (who in 2008 took over the presidency), aided memorably by Marxist revolutionary, Argentinian doctor Chè Guevara, assumed control of the country. They quickly kicked out the Americans along with the Mafia, and nationalized most of their industries and businesses.

For Lansky and the rest of the Mob in particular, their Golden Cuban Goose was cooked. Yet this was seen as an exceedingly bad development not just for them, but everyone in Washington across the defense, security, intelligence and political establishment and in the boardrooms of those U.S. corporations who'd enjoyed massive profits during the crime/corporate-friendly Batista regime.

Thus was created the circumstances that would eventually lead to the Bay of Pigs invasion (click link here for an info-graphic and timeline), one of most ill-advised, ill-fated, ill-conceived, ill-managed adventure in U.S. history. A defining event of the Cold War to be sure, but also one of the CIA's biggest cock-ups that set the stage for the Cuban Missile Crisis and possibly Kennedy's assassination on Nov. 22, 1963.

The Bay of Pigs Blowback

Few foreign policy misadventures (those that became public knowledge at least), resulted in more immediate and vociferous response from the American public and international community, as did the Bay of Pigs fiasco. Even fewer ended in such obvious and enduring ignominy. If JFK had been enjoying the ride in Air Force One up until that point then, the "flight" became very bumpy with the Cuban "situation."

JFK was so rattled by the Bay of Pigs experience, he threatened to "splinter the CIA into a thousand pieces and scatter it to the four winds." CIA chief Allen Dulles and two of his senior CIA spook colleagues were eventually forced to hang

up their trilby hats and trench-coats, a move that Dulles neither forgot nor forgave. The CIA, however, survived as an American institution that was synonymous with fighting the dreaded, so-called "Red Menace," which – in the Western Hemisphere at least – was personified by Castro.

As for the Agency and its operatives who survived the purge, they never forgot Kennedy's threat nor his perceived "betrayal" of the Bay of Pigs invaders when the mission went south.

So what exactly happened with the Bay of Pigs? In order to better grasp how it all came together – a phrase not entirely appropriate because when it really counted it all came spectacularly unstuck – some brief background is needed. The original plot was hatched during the Eisenhower administration under Dulles's direction and in concert with his big brother, Secretary of State John Foster Dulles, the archetypal Cold Warrior, a man for whom leaders like Castro were anathema.

It involved utilizing the support of Cuban exiles, all of whom were mightily chagrined at the new Cuban leader. If anything the Cuban exiles hated Castro more than the Americans did, and were eager to bed down with anyone who'd help restore them to their former glory.

A 'Perfect Failure'

The truly ironic thing is that the Americans at one point did have opportunities to bring Castro inside the tent before the Soviets did. Despite the fact he'd expropriated the property of some U.S. corporations (including that of the ubiquitous, notorious United Fruit Company of Guatemalan coup fame and the poster child of rapacious, exploitative U.S. corporate fuelled neo-colonialism), he denied being a communist.

Nor were there any signs the as-yet-non-aligned Castro intended to bunk down with the Soviets. On his visit to America in April 1960, Eisenhower refused to even meet with the new leader, despite the fact the U.S. had formally recognized his new government. The sub-text of the Americans' response might as well have been: "If we can't own, pillage, plunder and exploit your country and bleed it dry, we don't wanna know about you. Adios Amigo!"

Whether Fidel might've responded positively to any American overtures is now somewhat academic. But the truth is that no one will ever know. One thing we do know was that when the Americans "passed" on Cuba and ratcheted up the hostility, the Soviets didn't miss a beat. and were "in like Flynn"! The rest as they say, is history, most of it as we'll see, *not so good!* And so the stage was set for the Bay of Pigs.

Aptly described by Peter Kornbluh as *the “perfect failure,”* the Bay of Pigs was a disastrous mix of own goals, “mission myopia,” cock-ups and unalloyed hubris. The plan was so ill conceived that even the normally gung-ho Joint Chiefs of Staff knew it was bound to fail or had serious doubts. There are varying accounts as to whether they properly conveyed this to JFK, or there was some genuine misunderstanding.

But the reality was that the Chiefs had their own agenda – then as now, a not unfamiliar phenomenon in the annals of interagency rivalry within the US military, foreign policy and national security establishment. They wanted a full-scale invasion and knew JFK was not up for that under any circumstances.

Yet in effectively “nodding” a mission they knew had little or no chance of success, they calculated that Kennedy’s hand would be forced politically when that failure became obvious; the JCOS brass would then get their Big Day after all. From there they could claim bragging rights as the guys who came in and cleaned up the CIA’s mess, and Kennedy would cop all the flak for approving this “it seemed like a good idea at the time” operation.

It’s uncertain how the Chiefs were going to explain to Kennedy himself *after the fact* why they did not actively discourage the mission, or whether indeed they even gave this much consideration. It’s possible they short-changed JFK’s ability to “smell the rat” (that effectively he was set up by the CIA and the Chiefs), or figured that he would be so grateful to them later on when they had in fact cleaned up the mess he’d forgive and forget their treachery.

As it turned out, JFK did detect the “odor of rodent” before the mission was finally aborted. In order to minimize the failure, Kennedy refused to approve the necessary extra air cover that everyone was clamoring for, and that they insisted would snatch victory from the jaws of defeat. Kennedy didn’t buy this, and, once the penny dropped, seemingly preferred to cut his losses there and then.

From there on, collectively the brass was *persona non grata* with JFK, as he simply deduced he could no longer trust them. Much to their chagrin, they didn’t get their “boots-on-the-ground” gig as hoped. To underscore how unsettled the JCOS were about this, around 18 months later at the height of the Cuban Missile Crisis, the then U.S. Air Force General Curtis (“Bombsaway”) Le May along with his JCOS colleagues began foaming at the mouth and literally wanted to nuke the Soviets *and* the Cubans back to the Neolithic Era. That Kennedy prevailed over this pressure is a matter of history of course; the fact we’re all still here talking about it is some testament to that.

Lock ‘n Load

As for the invasion however, with some modification to the original plan, in early April 1961, JFK gave the CIA and the exiled “Cubanistas” – who by this time had foam coming out of *their* mouths – the go-ahead. Presumably this was partly because he had a measure of respect for Allen Dulles and his judgment. While this was Dulles’s (and Eisenhower’s) baby, JFK accepted the parentage.

In preparation for the invasion, equipment, supplies and materiel were parachuted into the designated invasion location earlier with planes piloted by Cuban exiles accompanied by CIA mercenaries. However as luck would have it, much of this logistical support was lost in the swamp close by. Moreover, a *pre*-invasion air support strike was supposed to soften up the Cubans, break their morale, and destroy or render inactive most of the Cuban Air Force. As it turned out, the attack destroyed only a handful of planes, with a number of civilians ending up as collateral damage.

The decision not to follow-up with additional air support left the invaders with their “paramilitary peckers” swinging in the Bay of Pigs’ sea breeze, so to speak. They quickly ran out of – or were unable to locate – their supplies. Over the next three days, there was intense fighting between the two forces; but before it even started really, it was all over for the counter-revolutionary wannabes.

Amazingly, before the invasion, the CIA was apparently tipped off by the Soviets – presumably because they wanted to give the Americans pause about any aggressive military ambitions – that Castro was aware of a possible attack and/or invasion. For his part though Castro apparently expected that any such operation would be a full-scale military campaign, not the piddling bunch of deluded, right-wing, rag-tag, rabble-rousing soldiers of misfortune that eventually did do so.

Incredibly, the CIA folk adopted a “need to know” response to *this* critical piece of information and omitted to tell JFK when there was still ample opportunity, possibly explaining why the normally unflappable president went ballistic later. It’s difficult to see how Kennedy would’ve green-lighted the operation had he been “in the know” on this. In anticipation of such an invasion, the preternaturally charismatic Fidel mobilized all his armed forces and rallied for moral support any and all Cuban nationals who could hold a pitchfork or machete and see over the steering wheels of their Ford convertibles and Chevy pickups.

A Cult Following

The Bay of Pigs invaders eventually were outgunned, outnumbered, out-maneuvered and out-smarted. Having nowhere else to go, the “paramilitaries” high-tailed

back to the beaches of the Bay of Pigs. Those that weren't killed, either surrendered or were captured, with some later executed.

There are some further observations about the Bay of Pigs "fiasco" (as JFK aptly defined it) to note. Before the invasion the Cuban revolution was, by some accounts, running out of puff. Either way, after the botched invasion and the resulting worldwide publicity, it was *unstoppable*.

The location of the Soviet missiles in Cuba in October the next year – the decision taken as a direct consequence of the fallout from the Bay of Pigs to discourage any further thoughts of regime change – was the most provocative, potentially consequential acts in history.

As for JFK, he was both devastated by the failure and humiliated by the fallout of the mission. Given this was a man unaccustomed to failure, it must have been a heavy cross to bear. He'd however get an opportunity to redeem himself with the Cuban Missile Crisis, but his legacy was forever stained. As for the CIA, its senior executives got to understand the meaning of "blowback."

Interestingly, one of the reasons why the Bay of Pigs operation was unsuccessful was much the same as why the Iraq invasion in 2003 was an unmitigated disaster: like those involved in, and who supported, *that* monumental foreign policy miscalculation by the U.S., they believed the Cuban people would be grateful for being liberated from Fidel's tyranny and rise up in arms against the oppressors. Of course, history tells a different story.

A Historic Moment

The events surrounding Castro and Cuba also resonate throughout the enduring mystery of Kennedy's assassination, whether the Official Story of Lee Harvey Oswald and his involvement in the "Fair Play for Cuba Committee" or the Unofficial Story that Kennedy was killed as payback for abandoning the Cuban exiles (and friends of the Mafia) at the Bay of Pigs and his retaliation against the CIA.

No other foreign country comes remotely close to having any more connections to the momentous Kennedy assassination than does Cuba. For this reason alone, Cuba – and by extrapolation Fidel Castro – will feature large in any future historical narrative.

That said – love him or hate him – Castro's place in history is guaranteed, much more so I suspect than most of his critics and enemies, past and present, most of whom are likely to end up as mere footnotes by comparison.

And as we have seen some many times throughout the American Cold War narrative,

every fringe-dwelling, Marxist/Leninist and/or AK-47 packing, left-wing-leaning revolutionary wannabee in Latin America will pull out all stops to see if he or she might emulate Castro's David and Goliath feat and kick the "gringos" where it really hurts.

That none has so far fared as well as Castro is a matter of history. Indeed, we might say this "standing up to the Man" was Castro's most singular achievement. Even now, in the post-Castro era, Cuba itself will always remain an historically ineradicable symbol of fervent resistance to – and overt defiance of – Uncle Sam's unerring, recidivistic predisposition for pillage and plunder in other people's backyards.

For years, the CIA expended more time, money, ingenuity and energy in trying to "off" Fidel than they have in trying to "off" all of the other heads of state together that they've ever had in their sights for over 60 years. They cooked up all manner of outrageous, cockamamie Spy v Spy schemes such as placing small exploding devices in his cigars; administering exotic bacteria, viruses or toxic poisons by a multitude of means and methods; and giving him LSD in public so he'd flip out and lose face.

They even considered using *non-discernible microbionoculators* (lethal darts with undetectable poison fired from a high-powered gun), to all manner of bizarre plots and schemes such as administering chemicals to make the *Comandante's* facial hair fall out.

The fact then that Castro still saw off 10 U.S. presidents is a remarkable feat unto itself. His success at survival made the celebrations in Little Havana in Miami, Florida, at the news of his death at age 90 seem pathetic and silly. While the anti-Castro Cubans may have been grinning from ear to ear and jumping for joy, it seems safe to say "Fiddy" had the last laugh on both his enemies in Miami and the Werewolves of Washington.

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Extracting Castro from the Demonization

The mainstream U.S. news media often lacks historical perspective, a problem most acute when the subject, like Fidel Castro, has faced Official Washington's geopolitical demonization, as Lawrence Davidson explains.

By Lawrence Davidson

There was something both sad and disturbing about popular American reactions to the death of Fidel Castro on Nov. 25. According to The New York Times, news of his death caused much of the Cuban American population of south Florida to “fill Miami’s streets with song.” Those were songs of “rejoicing” rather than dirges. We will examine why these celebrations occurred later in this analysis. However, first we want to give Señor Castro his due.

Fidel Castro was the man who led the successful effort to overthrow the brutal and reactionary dictatorship of Fulgencio Batista – a dictatorship that had the backing of the U.S. government. The Castro-led victory of 1959 began a long period of transformation for Cuba, raising the country from a starkly poor Third World condition to a modernizing socialist state. Here are some of that country’s achievements under Castro’s leadership:

- The expansion of nationwide public education, which uplifted the Cuban population from being largely illiterate to being mostly literate.
- The introduction and development of a modern and accessible public health care system, which all but eliminated death from curable diseases and greatly reduced the infant mortality rate.
- The expansion of services, such as the electric grid, sewage systems, and a reliable water supply, into the countryside.
- The establishment of programs of sustainable development as the nation’s economy diversified according to environmentally safe guidelines. This did involve redistribution of large landed estates to over a quarter million peasants.
- A significant reduction of both racism and sexism through education and new laws.
- A considerable reduction of economic disparities.

There was, of course, a price to be paid for these advances. All of this and more was made possible by instituting a socialist economy and a one-party government. This alienated much of the country’s upper and middle classes. Resistance brought varying degrees of repression. Over time many of those whose economic lifestyles were compromised learned to resent and indeed hate Castro. Tens of thousands of them fled to the United States.

If the socialist road was, predictably, going to divide Cuba in such a drastic way, why did Castro decide to go this route? It was not, as popularly believed, because he came to power a convinced communist. His move to the left was in direct reaction to the policies adopted by the U.S. government.

A Fateful Visit

In April 1959, at the invitation of the American Association of Newspaper Editors, Castro paid a visit to the United States. The trip provided an opportunity for consultations with the U.S. government, although U.S. officials only begrudgingly met with Castro. There was a lot of annoyance at his early, if short-lived, declaration of neutrality when it came to the Cold War. President Dwight Eisenhower showed his displeasure with Castro by opting for a game of golf. But Castro did manage to get a three-hour audience with Vice President Richard Nixon.

It seems that the meeting did not go very well. Castro refused to promise swift new elections in Cuba. He was convinced that the nation's priorities were economic and not political. And although Castro protested that he was not a communist, Nixon was suspicious. After the meeting he concluded that Castro was "either incredibly naive about communism or under communist discipline – my guess is the former."

Subsequently, the U.S. government refused any economic assistance to the new Cuban regime. Worse yet, a decision was made to institute "punishment politics." In March 1960, President Eisenhower set up funding for the overthrow of Castro. A year later the Kennedy administration carried out the unsuccessful Bay of Pigs invasion. It was against this background that Castro and his advisers quickly turned to the Soviet Union for the economic and military assistance necessary for their survival.

Rejecting Sacrifice

Do those who jumped for joy in Little Havana on Nov. 25 understand this history? Most of them are the descendants of individuals who rejected Castro's socialist ideals. Their own loyalties were not to Cuban society as a whole, but rather to family and/or a restricted economic community that was being forced to sacrifice for the greater good. Yet, for many Cubans of means, the notion of the greater good proved too threatening to be identified with their local interests.

Thus, the rejoicers' immediate ancestors fled to the U.S. with their portable wealth and formed the political lobby (based, by the way, on the strategy and tactics of the Zionist lobby) that kept the U.S. government scheming against Cuba for over 50 years. Is it any wonder that their children should have a biased view of history?

The Cuban Americans are not the only ones to express a one-sided view of things. Members of the American conservative elite also rejoiced at Castro's death. Here a representative voice is that of George Will, a political commentator whose

columns appear in The Washington Post and other newspapers.

Will's column on Castro's death appeared on Nov. 28 under the title "Cuba a Tomb of Utopianism." It is a historically incorrect judgment by virtue of the fact that Cuba's achievements under Castro's leadership, some of which are listed above, are not utopian at all, but rather quite real. But Will cannot see this any more than the celebrants of Little Havana. For him Castro is nothing more than a "charismatic totalitarian" whose life was "nasty" and whose "regime was saturated with sadism." He goes on to compare Castro to Joseph Stalin and Benito Mussolini.

What is his evidence for these morbid exaggerations? Well, the Cuban government imprisoned some of its opponents, though they allowed many more of them to emigrate out of the country. Between 500 and 700 of Batista's henchmen were tried and executed. Over time the regime manifested increasing authoritarian tendencies largely due to relentless U.S. efforts to destroy the country's economy and overthrow its government.

In other words, the United States created an ongoing wartime situation for Havana. Under such circumstances the historically usual reaction is for a government – any government – to become more controlling. George Will takes no notice of this.

The Cuban American rejoicing at Castro's death, and George Will's misreading it as the a sign of a "dead utopianism," are both disturbing manifestations of historical narrow-mindedness.

In the case of the celebrants, this attitude is no doubt connected to pent-up anger over the fact that something had been taken from them, or from their relatives, as part of an effort to remake a society that, prior to 1959, had only enriched the wealthy and impoverished the poor.

George Will's attitude is a function of his conservative worldview. He gives no credit at all to the economic and social achievements of Fidel Castro because he can't get past his ideologically driven interpretation of the political steps taken to realize them.

And neither of the above will admit to the truth that the Cuba policy of the United States over more than 50 years contributed strongly to the road Castro took.

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The Remarkable Story of Fidel Castro

Since Fidel Castro's death, the mainstream U.S. news media has been on a flashback to the Cold War presenting one-sided denunciations of the "communist dictator," but there is another side to the story, explains Marjorie Cohn.

By Marjorie Cohn

When Fidel Castro died on Nov. 25 at the age of 90, we lost one of the most remarkable leaders of the Twentieth Century. No other head of state has so steadfastly stood up to the United States and survived.

In 1959, the Cuban Revolution, led by Castro and Ernesto "Che" Guevara, overthrew the ruthless Fulgencio Batista, who had come to power in a coup d'état. Batista's government had protected the interests of the wealthy landowners. In order to control the populace, Batista had carried out torture and public executions, killing as many as 20,000 people. During his regime, Batista was supported – financially and militarily – by the United States. Indeed, the U.S. Mafia's gambling, drug and prostitution operations flourished under Batista's government.

Led by Castro, the new Cuban government expropriated U.S.-owned property, companies and holdings in Cuba. The United States responded with a punishing economic embargo, which later became a blockade. The CIA attempted unsuccessfully to overthrow the revolution in the disastrous 1961 Bay of Pigs invasion.

Since 1959, the U.S. government and the expatriated Cuban-Americans who fled Cuba after the revolution have tried mightily to topple the Castro government, without success. Castro survived more than 630 assassination attempts.

Legacy of Fidel Castro

"What's amazing here is you've got a country that's suffered an illegal economic blockade by the United States for almost half a century and yet it's been able to give its people the best standard of health care, brilliant education," Ken Livingstone, former mayor of London, said in 2006. "To do this in the teeth of an almost economic war is a tribute to Fidel Castro."

Castro practiced a unique form of internationalism. Nelson Mandela credited Cuba with helping to bring down the system of apartheid in South Africa. Cuba fought with the revolutionaries in Angola. And Cuba regularly sends doctors to other

countries and provides foreign nationals with free medical education.

As Nelson Valdes noted in 2013, Castro, together with others, “shaped a foreign policy and national movement around the fundamental concept of national sovereignty, yet devoid of any self-centered nationalism.” He added, “This unique form of national self-determination incorporated other countries on an equal footing. In fact, national sovereignty and solidarity had precedence over ideology.” Thus, Valdes wrote, “Cuba has aided countries, despite the economic and political differences they may have.”

In 1953, in what is considered the beginning of the Cuban Revolution, Castro, his brother Raul and more than 100 other rebels mounted a failed attack against the Batista regime at the Moncada Barracks. Castro was arrested, tried, sentenced to 15 years in prison and released in an amnesty deal two years later.

At his trial, Castro famously said in his defense, “Condemn me, it does not matter. History will absolve me.”

U.S. Interference in Cuba

The U.S. economic embargo was initiated in 1960 by President Dwight D. Eisenhower in response to a memorandum written by L.D. Mallory, a senior State Department official. Mallory proposed “a line of action that makes the greatest inroads in denying money and supplies to Cuba, to decrease monetary and real wages, to bring about hunger, desperation and the overthrow of the government.”

Cuba turned to the U.S.S.R. for assistance, which supported the Cuban Revolution until the collapse of the Soviet Union in 1991. In 1962, in response to the stationing of U.S. nuclear missiles in Turkey, Soviet leader Nikita Khrushchev placed nuclear missiles in Cuba. After a tense standoff, Khrushchev and U.S. President John F. Kennedy negotiated a withdrawal of the missiles from both Cuba and Turkey.

The economic blockade continues to this day. It is an illegal interference in the affairs of the Cuban people, in violation of the International Covenant on Civil and Political Rights and the Charter of the Organization of American States. Every year for 26 consecutive years, the United Nations General Assembly has called on the United States to lift the blockade, which has cost Cuba in excess of \$ 1 trillion.

U.S. meddling in Cuban affairs did not start in 1959. Since 1898, when the United States intervened in Cuba’s war for independence, the U.S. government has tried to dominate Cuba. The United States gained control of Guantanamo Bay in 1903, when Cuba was occupied by the U.S. Army after its intervention in Cuba’s war of independence against Spain.

Cuba was forced to accept the Platt Amendment to its constitution as a prerequisite for the withdrawal of U.S. troops from Cuba. That amendment provided the basis for a treaty granting the United States jurisdiction over Guantanamo Bay.

The 1903 agreement gave the United States the right to use Guantanamo Bay “exclusively as coaling or naval stations, and for no other purpose.” A 1934 treaty maintained U.S. control over Guantanamo Bay in perpetuity until the United States abandons it or until both Cuba and the United States agree to modify it. That treaty also limits its uses to “coaling and naval stations.”

None of these treaties or agreements gives the United States the right to use Guantanamo Bay as a prison, or to subject detainees to arbitrary detention or torture, cruel, inhuman or degrading treatment, which have been documented at the prison.

Castro, who called the Guantanamo base “a dagger plunged into the heart of Cuban soil,” refused to cash the rent checks the U.S. government sends annually. “An elemental sense of dignity and absolute disagreement with what happens in that portion of our national territory has prevented Cuba from cashing those checks,” he noted. The United States, according to Castro, transformed the Guantanamo base into a “horrible prison, one that bears no difference with the Nazi concentration camps.”

It is no accident that President George W. Bush chose Guantanamo Bay as the site for his illegal prison camp. His administration maintained that Guantanamo Bay is not a U.S. territory, and thus, U.S. courts were not available to the prisoners there. But, as the Supreme Court later affirmed, the United States, not Cuba, exercises exclusive jurisdiction over Guantanamo Bay, so habeas corpus is available to prisoners there.

Amnesty International aptly described the irony: “Given the USA’s criticism of the human rights record of Cuba, it is deeply ironic that it is violating fundamental rights on Cuban soil, and seeking to rely on the fact that it is on Cuban soil to keep the U.S. courts from examining its conduct.”

Since the revolution, anti-Cuba organizations based in Miami have engaged in countless terrorist activities against Cuba and anyone who advocated normalization of relations between the U.S. and Cuba. These terrorist groups have operated with impunity in the United States with the knowledge and support of the FBI and CIA.

For example, Ruben Dario Lopez-Castro, associated with several anti-Castro organizations, and Orlando Bosch, who planted a bomb on a Cubana airliner in

1976, killing all 73 people aboard, “planned to ship weapons into Cuba for an assassination attempt on [Fidel] Castro.”

In the face of this terrorism, the Cuban Five came from Cuba to gather intelligence in Miami in order to prevent future terrorist acts against Cuba. The men peacefully infiltrated criminal exile groups. The Five turned over the results of their investigation to the FBI. But instead of working with Cuba to fight terrorism, the U.S. government arrested and convicted the five men of unfounded charges.

Human Rights in Cuba

The International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights contain two different sets of human rights, respectively.

Civil and political rights include the rights to life, free expression, freedom of religion, fair trial, self-determination; and to be free from torture, cruel treatment and arbitrary detention.

Economic, social and cultural rights comprise the rights to education, health care, social security, unemployment insurance, paid maternity leave, equal pay for equal work, reduction of infant mortality; prevention, treatment and control of diseases, as well as the rights to form and join unions and strike.

The U.S. government criticizes civil and political rights in Cuba while disregarding Cubans’ superior access to universal housing, health care, education and its guarantee of paid maternity leave and equal-pay rates.

Unlike in the United States, health care is considered a right in Cuba. Universal health care is free to all. Cuba has the highest ratio of doctors to patients in the world, at 6.7 per 1,000 people. The 2014 infant mortality rate was 4.2 per 1,000 live births – one of the lowest in the world.

Free education is a universal right, up to and including higher education. Cuba spends a larger proportion of its gross domestic product on education than any other country in the world.

Cuban law guarantees the right to voluntarily form and join trade unions. Unions are legally independent and financially autonomous, independent of the Communist Party and the state. Unions have the right to stop work they consider dangerous. They have the right to participate in company management, to receive management information, to office space and materials, and to facility time for representatives. Union agreement is required for layoffs, changes in patterns of working hours and overtime, and for input on the annual safety report.

As of 2018, the date of the next Cuban general election and the date Raul Castro has promised to step down from the presidency, there will be a limit of no more than two five-year terms for all senior elected positions, including the president. Anyone can be nominated to be a candidate. It is not required that one be a member of the Communist Party. No money can be spent promoting candidates and no political parties (including the Communist Party) are permitted to campaign during elections. Military personnel are not on duty at polling stations; school children guard the ballot boxes.

In 2006, the World Wildlife Fund, a leading global environmental organization, determined that Cuba was the only country in the world to have achieved sustainable development.

Meanwhile, the U.S. government has committed serious human rights violations on Cuban soil, including torture, cruel treatment and arbitrary detention at Guantanamo. And since 1960, the United States has expressly interfered with Cuba's economic rights and its right to self-determination through the economic embargo.

Cuba is criticized for its restrictions on freedom of expression. Castro learned from the Guatemalan experience what would happen if he did not keep a tight rein on his revolutionary government. Jacobo Arbenz, a democratically elected president of Guatemala, carried out agrarian land reform, which expropriated uncultivated lands, compensated the owners and redistributed them to the peasantry. This program raised the hackles of the United Fruit Company, which enlisted the U.S. government to overthrow Arbenz. The CIA and the State Department obliged.

Stephen Kinzer wrote in his biography of the Dulles brothers that Guevara "told Castro why [the CIA coup in Guatemala] succeeded. He said Arbenz had foolishly tolerated an open society, which the CIA penetrated and subverted, and also preserved the existing army, which the CIA turned into its instrument. Castro agreed that a revolutionary regime in Cuba must avoid those mistakes. Upon taking power, he cracked down on dissent and purged the army."

Obama Opens the Door

In 2006, Castro suffered a serious illness and turned over the reins of power in Cuba to his brother Raul, who became president in 2008.

On March 21, 2016, President Obama and Raul Castro held a joint press conference at the Palace of the Revolution in Havana. Obama notably declared, "Perhaps most importantly, I affirmed that Cuba's destiny will not be decided by the United States or any other nation. Cuba is sovereign and, rightly, has great pride. And

the future of Cuba will be decided by Cubans, not by anybody else.” Unlike all prior U.S. presidents, Obama understands the significance of treating Cuba with respect.

This is a lesson Donald Trump will hopefully learn. The President-elect has sent mixed signals about whether he will continue Obama’s steps toward normalization of relations between the U.S. and Cuba. The businessman in him will be receptive to investment, and, indeed, hotel building, in Cuba.

But, pandering to Cuban-Americans in Florida during the election, Trump talked tough against Cuba’s government. “Many of our leaders seem to view Florida’s Cuban conservatives, including the assassins and terrorists among them, as People Who Vote,” Alice Walker wrote in *The Sweet Abyss*.

On the Cuban side, Raul Castro has made it clear that normalization cannot occur until the blockade is lifted and the United States returns Guantanamo to Cuba. In an op-ed in *The New York Times*, Harvard lecturer Jonathan Hansen wrote, “It is past time to return this imperialist enclave to Cuba,” adding, “It has served to remind the world of America’s long history of interventionist militarism.”

Normalization of relations will not happen overnight, Rene Gonzalez, one of the Cuban Five, told me when I visited Cuba last year. “We have to remember that relations between the countries have never been normal.” Antonio Guerrero, another member of the Five, added that normalization will require “the dismantling of the whole system of aggression against Cuba, especially the blockade.”

Castro survived 90 years. And Castro’s revolution survives, notwithstanding 57 years of aggression and assassination attempts by the United States.

“Fidel Castro was an authoritarian. He ruled with an iron fist. There was repression and is repression in Cuba. In Fidel’s kind of argument, he did it in the name of a different kind of democracy, a different kind of freedom – the freedom from illness, the freedom from racism, the freedom from social inequality,” Peter Kornbluh, director of the Cuba Documentation Project, told Amy Goodman on *Democracy Now!* “And Cuba has a lot of very positives that all the other countries that we don’t talk about don’t have. There isn’t gang violence in Cuba. People aren’t being slaughtered around the streets by guns every day. They defeated the Zika virus right away. There is universal health care and universal education.”

In a 1998 NBC interview with Maria Shriver, Castro wryly noted, “For a small country such as Cuba to have such a gigantic country as the United States live so obsessed with this island, it is an honor for us.”

History has absolved, and promises to continue to absolve, “El Comandante” Fidel Castro.

Marjorie Cohn is professor emerita at Thomas Jefferson School of Law, former president of the National Lawyers Guild and deputy secretary general of the International Association of Democratic Lawyers. Her most recent book is “Drones and Targeted Killing: Legal, Moral, and Geopolitical Issues.” Visit [her website](#) and follow her at Twitter @marjoriecohn.

This article first appeared on Truthdig

[http://www.truthdig.com/report/item/the_remarkable_legacy_of_fidel_castro_20161202]

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Old Cold War Revives as Castro Dies

As the U.S. plows toward a New Cold War, remnants of the old one resurfaced with the death of Cuban leader Fidel Castro as the mainstream U.S. media flashed back to old Cold War rhetoric, says William Blum.

By William Blum

The most frequent comment I’ve read in the mainstream media concerning Fidel Castro’s death is that he was a “dictator”; almost every heading bore that word. Since the 1959 revolution, the American mainstream media has routinely referred to Cuba as a dictatorship. But just what does Cuba do or lack that makes it a dictatorship?

No “free press”? Apart from the question of how free Western media is, if that’s to be the standard, what would happen if Cuba announced that from now on anyone in the country could own any kind of media? How long would it be before CIA money – secret and unlimited CIA money financing all kinds of fronts in Cuba – would own or control almost all the media worth owning or controlling?

Is it “free elections” that Cuba lacks? They regularly have elections at municipal, regional and national levels. They do not have direct election of the president, but neither do Germany or the United Kingdom and many other countries. The Cuban president is chosen by the parliament, The National Assembly of People’s Power. Money plays virtually no role in these elections;

neither does party politics, including the Communist Party, since all candidates run as individuals.

Again, what is the standard by which Cuban elections are to be judged? Is it that they don't have private corporations to pour in a billion dollars? Most Americans, if they gave it any thought, might find it difficult to even imagine what a free and democratic election, without great concentrations of corporate money, would look like, or how it would operate. Would Ralph Nader finally be able to get on all 50 state ballots, take part in national television debates, and be able to match the two monopoly parties in media advertising? If that were the case, I think he'd probably win; which is why it's not the case.

Or perhaps what Cuba lacks is our marvelous "electoral college" system, where the presidential candidate with the most votes is not necessarily the winner. Did we need the latest example of this travesty of democracy to convince us to finally get rid of it? If we really think this system is a good example of democracy why don't we use it for local and state elections as well?

Is Cuba a dictatorship because it arrests dissidents? Many thousands of anti-war and other protesters have been arrested in the United States in recent years, as in every period in American history. During the Occupy Movement of five years ago more than 7,000 people were arrested, many beaten by police and mistreated while in custody. And remember: The United States is to the Cuban government like Al Qaeda is to Washington, only much more powerful and much closer; virtually without exception, Cuban dissidents have been financed by and aided in other ways by the United States.

Would Washington ignore a group of Americans receiving funds from Al Qaeda and engaging in repeated meetings with known members of that organization? In recent years the United States has arrested a great many people in the U.S. and abroad solely on the basis of alleged ties to Al Qaeda, with a lot less evidence to go by than Cuba has had with its dissidents' ties to the United States. Virtually all of Cuba's "political prisoners" are such dissidents.

While others may call Cuba's security policies dictatorship, I call it self-defense.

William Blum is an author, historian, and renowned critic of U.S. foreign policy. He is the author of *Killing Hope: U.S. Military and CIA Interventions Since World War II* and *Rogue State: A Guide to the World's Only Superpower*, among others. [This article originally appeared at the Anti-Empire Report, <http://williamblum.org/> .]

How to Win Friends in Latin America

The U.S. government has won more friends in Latin America by opening diplomatic ties to Cuba than by demonstrating endless belligerence, a lesson little understood in Washington, observes ex-CIA analyst Paul R. Pillar.

By Paul R. Pillar

Much gets said and written, mostly as rhetoric intended to criticize the Obama administration, about the standing of the United States in the world supposedly having declined. To the extent such rhetoric gets linked to specific policy prescription, it most often amounts to an assertion that respect for the United States derives from throwing its weight around and particularly doing so with military power. But one doesn't have to look hard for reminders that this is not really the way the world works.

A word is in order about some of the sentiments involved and how they relate to each other. Respect is not identical with liking, but even in everyday life positive sentiments toward someone else tend to go together, and so do negative ones. It is hard to have respect for an authority figure such as a teacher or parent if one dislikes the person.

Dale Carnegie wrote a bestseller called *How to Win Friends and Influence People* and gave courses that encompassed both. The clustering of sentiment is at least as true in international relations, where the goal is to influence the behavior of both people and governments.

Riding roughshod over the sensitivities and concerns of other peoples may engender fear, but does not yield either liking or respect. Moreover, the opportunities for opposing the interests of even a superpower [are sufficiently numerous](#) that the weight-throwing approach is not a good strategy for winning influence.

Positive approaches that exhibit respect for the concerns of even those with whom one has significant disagreements are more likely to buy the sort of influence one wants. Respect engenders respect.

A reminder of such reality comes from *The Economist's* [Latin America columnist](#) Bello, who observes a trend in attitudes in the region toward the United States during the years of the Obama administration. Far from relying on the sort of force-reliant bullying that characterized much U.S. policy toward the region over the past two centuries, Mr. Obama's policies have involved trying to work through partners in the area.

By far the most conspicuous and significant of the administration's policy moves in the region has been the opening to Cuba, which as the columnist notes "was applauded by both left and right across Latin America." The impact on regional attitudes toward the colossus to the north also has been significant. In region-wide polling by Latinobarometro, the number of respondents saying they have a positive view of the United States has risen from 58 percent in 2008, the year Mr. Obama was elected, to 74 percent this year.

Bello notes that there has been a corresponding trend in governments' attitudes and behavior. Brazil's new government, for example, "does not place the hopes that its predecessor did in 'south-south' ties. Through the region, "many governments are now seeking to draw closer to the United States."

The knock-on effects go well beyond the diplomatic orientation of incumbent governments. Bello comments that if the opening to Cuba were to be reversed – as Donald Trump has threatened to do – this "could remove any hope that the transition to a post-Castro leadership, which is due to start in 2018, will involve a loosening of political control."

That's the way respect and influence work in Latin America, although one would never guess that by listening to those who want to sustain the failed half-century attempt to isolate Cuba. It's also the way they work elsewhere in the world, although one would never guess that from listening to much other foreign policy debate in the United States.

Paul R. Pillar, in his 28 years at the Central Intelligence Agency, rose to be one of the agency's top analysts. He is author most recently of [Why America Misunderstands the World](#). (This article first appeared as [a blog post](#) at The National Interest's Web site. Reprinted with author's permission.)

The Earlier 9/11 Acts of Terror

From the Archive: Americans feel a special sadness about the terrible loss of life on Sept. 11, 2001, but the 9/11 date has other meanings in other countries, reflecting a U.S. hypocrisy on terrorism, wrote Jonathan Marshall in 2014.

By Jonathan Marshall (Originally published on Sept. 10, 2014)

Americans collectively woke up to the threat of domestic terrorism on the morning of Sept. 11, 2001. Nearly 3,000 people died in the fiery destruction of the Twin Towers in New York City, the attack on the Pentagon and related airplane hijackings.

Twenty-eight years earlier, Chileans had their own deadly wake-up call on Sept. 11, 1973, when coup plotters overthrew the democratic government of Salvador Allende after blasting the presidential palace with bombs and heavy artillery. The military junta went on to kill more than 3,000 people, imprison and torture tens of thousands of political victims, and send tens of thousands more into exile.

Though largely forgotten today, blowback from the U.S.-backed Chilean coup came to haunt North Americans in the form of deadly terrorist attacks, including a number falling in September and even on the forbidding date of Sept. 11 in years predating the al-Qaeda atrocity. In those cases, the perpetrators were not Islamic militants, nor were they angry Marxists intent on avenging Washington's complicity in the Chilean military's crimes. Instead, the killers were right-wing extremists bent on carrying their cause to U.S. soil.

The most shocking such case of blowback terrorism was the car bombing of former Chilean government minister Orlando Letelier and a young colleague on the streets of Washington D.C. on Sept. 26, 1976, just past the third anniversary of the coup.

Until 2001, it was the worst act of international terrorism committed in the United States. FBI investigators eventually determined that the remote-controlled bomb had been set off by members of the fascist Cuban Nationalist Movement (CNM), directed by an American-born agent of the Chilean secret police.

Attacks at the UN

Few Americans remember the Letelier murder, but how many ever knew of the related creation of one of America's longest-running terrorist organizations on Sept. 11, 1974? How many know of that group's brazen murder of a Cuban diplomat, the first case of terrorist violence against a United Nations diplomat, on the streets of New York on Sept. 11, 1980? Or of the same group's coordinated attacks against the Mexican consulates in New York City and Miami, and the Miami office of a noted magazine, all on Sept. 11, 1981?

The terror group's name was Omega 7. Its founder was a fanatical anti-Castro Cuban exile named Eduardo Arocena, who used the nom-de-guerre "Omar" to take credit for the group's two assassinations and more than 30 bombings over a span of almost nine years as the group eluded police and FBI investigators.

One Justice Department official called Arocena "probably the most dedicated patriot in the Cuban field that the law enforcement community has ever experienced in seven years of bombings and murders." (Imagine a U.S. official calling Osama Bin Laden "the most dedicated patriot in the Islamist field that

the law enforcement community has ever experienced.”)

As the FBI reported in 1993, “The main areas of operation for the Omega 7 were the New York, New Jersey, and Miami, Florida, areas. Its primary targets were representatives of the Cuban Government or any individual, organization, facility, or business that dealt with or supported in any way, the communist government of Fidel Castro.

“The majority of Omega 7 attacks were bombings, shootings, and assassinations. Its terrorist attacks were usually well-planned and flawlessly executed. Many of the Omega 7 members were veterans of the Bay of Pigs invasion who were trained in demolition, intelligence, and commando techniques. Their expertise, combined with the financial resources available to them through the exiled Cuban community, gave the Omega 7 an almost unlimited potential for terrorist activity.”

Not a Stereotype

Short and pudgy, with a fondness for three-piece suits and classical music, Arocena did not fit any usual stereotype of a terrorist mastermind, but he committed his adult life to violence. “I am obsessed by Communism, which has held my country prisoner,” he explained years later.

Arocena was born in Cuba in 1943. He left school when Fidel Castro took power in 1959. After a stint loading sugar at his hometown port of Caibarien, followed by national success as a welter-weight wrestler, Arocena secretly began fighting Communism. As he would testify years later, he joined a clandestine group to “burn cane fields, burn down industrial development places, to keep our eyes on the regime. . . . We carried out intelligence work, which [was] then passed on to foreign agencies.”

Fearing capture, he stowed away on a ship bound for Morocco in 1965 and made his way to New Jersey the next year. Safe on American soil, he quickly found that his passion for fighting Castro was shared by tens of thousands of fellow exiles and at least some Washington officials. In early 1969, with hundreds of compatriots, he received training by unnamed “American agents” in demolitions techniques at camp in the Florida Everglades. To his bitter regret, the group was disbanded after the promised invasion of Cuba came to nothing.

Eager for action, he grew close to members of the radical CNM, founded by the fascist ideologue Felipe Rivero in 1960. After joining the CIA’s ill-fated landing at the Bay of Pigs in 1961, Rivero went his own way. In 1964 he called for a worldwide campaign of terrorism against Cuban targets, which the group initiated with a bazooka attack against the United Nations building, where

Ernesto "Che" Guevara was giving a speech. Years later, the CNM was among the first and most ardent anti-Castro Cuban groups to ally with the Chilean military regime and its secret police after the Sept. 11, 1973 coup.

Founding a Terror Cell

Celebration of the Chilean coup likely explains Arocena's decision to found his own terrorist group, Omega 7, on its one-year anniversary. Omega 7 drew support from the CNM to the point where authorities for many years believed, incorrectly, that the two organizations were identical.

Omega 7 committed its first act of terrorism on Feb. 1, 1975, setting off a bomb at the Venezuelan consulate on 51st Street in New York City to protest that government's recent resumption of diplomatic relations with Cuba. In June 1976, it set off a bomb at the Cuban Mission to the United Nations.

Then, on Sept. 16, 1976, the group bombed a Soviet cargo ship docked in Port Elizabeth, New Jersey, where Arocena worked as a longshoreman. Arocena himself swam out to plant the bomb on the ship's hull with magnets. He built the device with help from the CNM's Chilean-trained demolition expert Virgilio Paz. Only days later, Paz would travel from Union City to Washington to help carry out the Chilean regime's plot to assassinate Orlando Letelier. The Omega 7 job explains why the Chilean agent in charge of the Letelier mission would report that his assignment had to wait several days because "the CNM was engaged in some other operation which required their immediate attention."

Many other acts of terror would follow. One day after Christmas in 1977, Omega 7 bombed the Venezuelan Mission to the United Nations, to protest Venezuela's imprisonment of Cuban exile Orlando Bosch on charges of blowing up 73 passengers aboard a Cubana Airlines jet the previous year. The next year, Omega 7 bombed the Cuban Mission to the U.N. for the third and fourth times, the Mexican Consulate in New York, and Avery Fisher Hall in Lincoln Center, to protest a performance by a Cuban orchestra.

In 1979, among other attacks, it bombed the Cuban Mission a fifth and sixth time (injuring two policemen), set off high explosives at the Soviet Mission to the U.N. (injuring four policemen and two mission employees), tried to assassinate Fidel Castro during his visit to the U.N. General Assembly in October, and murdered moderate exile Eulalio Jose Negrin in front of his son with a silenced MAC-10 machine gun to punish his "traitorous" parleys with Havana that led to the release of 3,000 political prisoners. The group also tried to plant a suitcase bomb on a TWA flight from New York to Los Angeles, but it exploded prematurely before being loaded.

Hard to Crack

With the attack on the Soviet mission, the FBI finally moved Omega 7 to its highest priority target list. The tight-knit organization proved impossible to crack, however. In March 1980, only a fluke accident saved Cuba's ambassador to the United Nations from being incinerated when his car bumped another and a powerful remote-controlled bomb fell off its gas tank to the ground. Arocena had built the bomb using military-grade explosives supplied to the CNM by the Chilean secret police.

An attache with the Cuban Mission, Felix Garcia, was not so lucky. On Sept. 11, 1980, the seventh anniversary of the Chilean coup and the sixth anniversary of Omega 7's founding, the group murdered him while he was driving to work from his apartment in Queens. Arocena's partner Pedro Remon cut Garcia down with a burst from a MAC-10. Arocena drove the hit car.

As the Cuban newspaper Granma described the reaction, "UN diplomats were in uproar. For the first time ever, terrorists had used violence against the legitimate representative of a UN member country. . . . Three times on the following day, UN Secretary General Kurt Waldheim expressed his horror at the crime. He communicated with the U.S. representative at the United Nations, demanding that full measures be taken to guarantee the safety of all the Cuban personnel in New York, and insisted that the tragic event be thoroughly investigated. . . .

"Secretary of State Ed Muskie called it a reprehensible act and asked for all the relevant federal agencies as well as the New York police department to cooperate in the investigation. . . . Donald McHenry, Washington's ambassador to the UN called the crime a blot on the United States. Nevertheless, both Muskie and McHenry refrained from specifically condemning the anti-Cuban terrorism . . .

"At the UN, Cuban ambassador Raul Roa Kouri affirmed with total clarity: 'these groups of professional killers have various locations in the country that hosts our international organization. Their members and leaders make public statements to New York's Spanish-language press and hold public meetings on the streets, crudely boasting of their criminal intentions.'"

The Unraveling

The Sept. 11, 1980 murder of Cuba's diplomat began the undoing of Omega 7. A joint FBI-New York Police Department terrorism task force eventually tracked a rental car ticketed across from the Cuban Mission that day to Arocena. Toll records also connected Arocena in the period of the murder to his key

compatriots in Omega 7, giving investigators their first clear glimpse of the organization's membership.

Omega 7 was far from spent, however. One year after its assassination of Garcia, the organization unleashed a wave of new attacks. On Sept. 11, 1981, it fire-bombed the Miami offices of *Replica* magazine, which had called for normalizing relations between Havana and Washington. It also bombed the Mexican consulates in Miami and New York that day to protest that government's warm relations with Cuba, causing more than \$2 million in damage to the Miami building alone.

Where did Omega 7 get the resources to pull off so many meticulous operations? An FBI report in 1993 noted: "Although current information is incomplete, it appears that some Cuban exile businessmen in the Union City, New Jersey, area clandestinely funded Omega 7 and other Cuban anti-Castro groups. The businessmen established a network which would collect money in the form of 'taxes' from all segments of the Cuban community who were able to contribute and then divide the money between the various groups they supported. . . . Current reporting, although fragmented, suggests that the businessmen, who may still be active in funding anti-Castro groups, were involved in the flow of over \$100,000 to the various groups."

Additionally, the FBI learned that Arocena and Omega 7 received about \$150,000 from a major marijuana trafficker who asked the organization to collect money owed him by other Cuban exiles and business associates in the drug trade. (Arocena agreed to murder one such associate who had stolen 40,000 pounds of marijuana, but dropped the assignment when he learned that his target was in jail.) Omega 7 members also received legal defense funds from at least two drug-connected Cuban exiles.

A grand jury investigation of Omega 7 from 1979 to 1982 went nowhere, but an ideological split in Omega 7's ranks finally gave the FBI a huge break. Fearing for his life at the hands of Pedro Remn and other disaffected associates, Arocena began talking with surprising candor to Special Agent Larry Wack about the history and operations of the organization. Arocena then went underground in Miami but continued their dialog through calls from pay phones. Their talks, all recorded, built an impeccable case against the man who called himself "Omar" and his terrorist associates.

Belated Roundup

On Oct. 2, 1982, federal agents finally arrested three key members of Omega 7 in New Jersey and Arocena's chief triggerman turned nemesis, Remn, in Miami. They were charged with transporting explosives used in the attempted assassination of the Cuban ambassador in March 1980.

Not until July 22, 1983, was Arocena finally arrested in Miami, with an arsenal of machine guns, pistols, rifles, knives, disguises, and a remote-control transmitter. A jury would find him guilty the following year on 25 charges of murder, conspiracy to murder, transporting explosives, possession of bombs and perjury. He received a sentence of life plus 35 additional years. A year later, a Miami judge added another 20 years to his sentence after a separate conviction for bombing seven businesses and consulates in that city from 1979 to 1983.

Arocena's sentence was a rare exception to the mild fate of most Cuban exile terrorists. The Miami Herald's Juan Tamayo noted in 1998, "Amid reports that Cuban exile leaders financed bombings in Havana, conspirators, cops and prosecutors agree that anti-Castro plotting in South Florida is not only common but almost tolerated."

"Other than an occasional federal gun charge," two reporters for Salon observed in 2008, "Nothing much seems to happen to most of these would-be revolutionaries. They are allowed to train nearly unimpeded despite making explicit plans to violate the 70-year-old U.S. Neutrality Act and overthrow a sovereign country's government. Though separate anti-terror laws passed in 1994 and 1996 would seem to apply directly to their activities, no one has ever been charged for anti-Cuban terrorism under those laws. And 9/11 [2001] seems to have changed nothing. . . ."

"The federal government has even failed to extradite to other countries militants who are credibly accused of acts of murder. Among the most notorious is Luis Posada Carriles, wanted for bombing a Cuban jet in 1976 and Havana hotels in 1997. It is, perhaps, a testament to the power of South Florida's crucial Cuban-American voting bloc – and the political allegiances of the current president [George W. Bush]."

Fitting this mold was the fate of Arocena's chief partner in crime, Remon, who pleaded guilty and received a sentence of only 10 years (less than many Guantanamo inmates have served without a conviction). After his release, he teamed up with Posada, who had been trained in demolition by the CIA and carried on its payroll for many years.

Despite evidence of his role in the 1976 Cubana Airlines bombing and his admitted campaign to bomb hotels and restaurants in Cuba in 1997, Posada told a New York Times reporter in 1998 that American authorities never attempted to question him. "As you can see," he said, "the F.B.I. and the C.I.A. don't bother me, and I am neutral with them."

Tolerating Foreign Attacks

Why did Posada fare so much better than Arocena? His close connection to the CIA undoubtedly helped. Just as important, he played by the rules, terrorizing Cuba from abroad, not at home. The FBI's Larry Wack explained to Arocena that his only crime was committing terrorism *inside* the United States:

"Whatever you people have going outside the United States in Communist countries, we decided amongst us a long time ago that you were not going to tell us about it. And we were not gonna push the issue because it did not concern any, anything inside the United States. . . . Because that is out of our jurisdiction, we told you we were not going to try to interfere with anything that you guys were doing out of the country, and we have stuck to that."

Wack's view of official U.S. policy was confirmed just a few years after Panamanian police arrested Posada, along with Omega 7's Pedro Remon and the CNM's Guillermo Novo, in 2000 for plotting to assassinate Fidel Castro during a visit to that country. Pardoned in 2004, Remon and Novo returned as free men to the United States, with less hassle than some hapless traveler who ticks off an airport security officer. Posada also returned, and after a battle over his immigration status, not terrorism, he, too, retired to Miami. (Orlando Bosch, now dead, had a street named after him in Miami, where he was treated as a hero.)

As we pause on this 9/11 to remind ourselves of the horrible killing of innocents committed by a gang of extremists 13 years ago, we should reserve some anger for policymakers and law enforcement officers who discredit the cause of justice by ignoring or even protecting other terrorists in our midst depending on their politics. These more obscure bombers and assassins may have called themselves freedom fighters, but their crimes were as evil, and deserve the same punishment, as the mass murders of Sept. 11, 2001.

Jonathan Marshall is author or co-author of five books on international affairs, including *The Lebanese Connection: Corruption, Civil War and the International Drug Traffic* (Stanford University Press, 2012). Some of his previous articles for Consortiumnews were "Risky Blowback from Russian Sanctions"; "Neocons Want Regime Change in Iran"; "Saudi Cash Wins France's Favor"; "The Saudis' Hurt Feelings"; "Saudi Arabia's Nuclear Bluster"; "The US Hand in the Syrian Mess"; and "Hidden Origins of Syria's Civil War."]

Meyer Lansky's Heirs Want Money from Cuba

A curious twist in the renewed U.S.-Cuban relations is the claim by Mafia financier Meyer Lansky's heirs for damages from the loss of Lansky's Havana casinos, which Fidel Castro nationalized after the revolution in 1959, writes Jack Colhoun.

By Jack Colhoun

The heirs of Meyer Lansky, the impresario of the North American Mafia gambling colony in Cuba, a reign that lasted from 1933 to 1958, are betting on a big payback from the negotiations between the United States and Cuba to normalize relations between the two countries.

Compensation claims by U.S. citizens or businesses for properties nationalized by the Cuban revolution are among the issues under discussion. Lansky's daughter Sandi, her son Gary Rapoport, and her brother Paul have filed a compensation claim against Cuba for the Riviera Hotel and Casino with the U.S. Foreign Claims Settlement Commission.

The Cuban revolution confiscated the Riviera and other Mafia-owned properties after it toppled the gangster-linked regime of General Fulgencio Batista in 1959.

"It was through my grandfather's hard work that the hotel was built," Rapoport told the U. K. *Daily Mail Online* on Dec. 23, 2015. "We are his natural relations By right, it should be our property." He said the Riviera is valued at \$70 million. The *Tampa Bay Tribune*, *Reuters*, and *Haaretz* have also covered the story. (Lansky died in 1983 at the age of 80 from lung cancer, living his final years quietly in Miami Beach.)

The Riviera, which overlooks the Straits of Florida, was the crown jewel of Lansky's casinos, hotels and nightclubs in Havana. When the Riviera opened in December 1957, it was the largest Mafia-owned hotel-casino outside Las Vegas. The hotel's 440 double rooms were booked solid for the winter season of 1957-1958.

However, the narrative that the success of the Riviera was the product of Meyer Lansky's "hard work" is undercut by Lansky's own assessment of his arrangement with Batista. Lansky talked candidly about his years in Cuba with Israeli national security writers Dennis Eisenberg, Uri Dan, and Eli Landau for their admiring biography *Meyer Lansky: Mogul of the Mob* (Paddington Press, 1979). (Lansky lived in Israel in 1970-1971 to avoid tax evasion charges in the United

States.)

Lansky pitched his plan to Batista to open Mafia owned casinos and nightclubs in Cuba in 1933. Lansky promised to make Batista, who had just come to power in a *coup d'etat*, a partner. Batista and his inner circle would get regular payments from the Mafia gamblers. In return, the gangsters would be allowed to operate without interference from Cuban authorities. With a handshake and an *abrazo*, Lansky and Batista laid the foundations of the Cuban gangster state.

“Working on the well-known principle that it’s better to use other people’s money than your own, Lansky persuaded Batista to have the Cuban government help finance the venture,” Eisenberg, Dan, and Landau wrote. “The [Cuban] government agreed to back every dollar invested on the island by foreigners with a dollar of its own and to give every hotel that cost more than one million dollars the precious prize of a gambling license . . . and the casino hotels would not have to pay Cuban taxes.”

Lansky’s Crown Jewel

The Riviera was one of four new hotels with casinos, which opened in Havana between 1955 and 1958. Cuban development banks subsidized 50 percent of Lansky’s \$14 million Riviera project; Lansky-linked investors provided the rest. Senator Eduardo Suarez Rivas, brother of Batista’s Minister of Labor Jose Suarez Rivas, was secretary of the *Compania de Hotels La Riviera de Cuba*, which operated the Riviera.

The Mafia gambling colony was the cornerstone of the Cuban gangster state. The gangsters’ graft bound Batista, his inner circle, senior security officers, and the Mafia together in the defense of one of the most repressive regimes in Latin America. As a CIA report put it, “In return for the loyalty they gave him, Batista always backed his security services. In times of crisis, he often suspended civil guarantees . . . and gave the services a free hand.”

In 1958, Fidel Castro’s July 26th Movement denounced the Mafia in radio broadcasts from the guerrilla group’s redoubt in the Sierra Maestra, accusing the Mafia of turning Havana into a center of commercialized vice – gambling, prostitution, and drugs. The days of the North American gangsters in Cuba were numbered when Batista fled into exile on Jan. 1, 1959. When Castro arrived in Havana on Jan. 8, he vowed to “clean out all the gamblers.”

The Riviera and other gangster-owned properties were nationalized, and the Mafia gamblers returned to the United States. To regain control of its casinos, hotels and nightclubs in post-Castro Cuba, the Mafia waged a covert war on the Cuban revolution. The gangsters regrouped with their Cuban political allies, now in

exile in the United States. The Mafia subsidized Cuban exile leaders and supplied arms to Cuban exile commando groups for attacks on Cuban targets from speedy boats and small aircraft.

The gangsters also plotted with the CIA to assassinate Fidel Castro. In 1959, Lansky volunteered to arrange the assassination of Castro in a meeting with the CIA, according to Doc Stacher, a life-long Lansky associate.

“He [Lansky] indicated to the CIA that some of his people who were still on the island, or those who were just going back, might assassinate Castro,” Stacher told his Israeli biographers. “Meyer Lansky thought that if Castro would be eliminated there was a good chance for Batista to make a comeback. . . . He told them [CIA officers] he was quite prepared to finance the operation himself.”

From 1960 to 1963, the CIA and the Mafia plotted covertly to assassinate Castro. So, to portray Lansky as an aggrieved victim of Cuba is to stand history on its head. There should be no compensation for the heirs of the former Mafia gamblers in Cuba.

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US Hypocritical Lectures to Cuba

U.S. officials love to lecture Cuba about its human rights flaws, but – in many ways – Cuba offers equal or better protection of human rights than does the United States, says Marjorie Cohn.

By Marjorie Cohn

In advance of President Barack Obama’s historic visit to Cuba on March 20, there is speculation about whether he can pressure Cuba to improve its human rights. But a comparison of Cuba’s human rights record with that of the United States shows that the U.S. should be taking lessons from Cuba.

The [Universal Declaration of Human Rights](#) contains two different categories of

human rights – civil and political rights on the one hand; and economic, social and cultural rights on the other.

Civil and political rights include the rights to life, free expression, freedom of religion, fair trial, self-determination; and to be free from torture, cruel treatment, and arbitrary detention.

Economic, social and cultural rights comprise the rights to education, healthcare, social security, unemployment insurance, paid maternity leave, equal pay for equal work, reduction of infant mortality; prevention, treatment and control of diseases; and to form and join unions and strike.

These human rights are enshrined in two treaties – the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). The United States has ratified the ICCPR.

But the U.S. refuses to ratify the ICESCR. Since the Reagan administration, it has been U.S. policy to define human rights only as civil and political rights. Economic, social and cultural rights are dismissed as akin to social welfare, or socialism. The U.S. government criticizes civil and political rights in Cuba while disregarding Cubans' superior access to universal housing, health care, education, and its guarantee of paid maternity leave and equal pay rates.

Meanwhile, the U.S. government has committed serious human rights violations on Cuban soil, including torture, cruel treatment, and arbitrary detention at Guantanamo. And since 1960, the United States has expressly interfered with Cuba's economic rights and its right to self-determination through the economic embargo.

The U.S. embargo of Cuba, now a blockade, was initiated by President Dwight D. Eisenhower during the Cold War in response to a 1960 memo written by a senior State Department official. The memo proposed "a line of action that makes the greatest inroads in denying money and supplies to Cuba, to decrease monetary and real wages, to bring about hunger, desperation and the overthrow of the [Castro] government."

That goal has failed, but the punishing blockade has made life difficult in Cuba. In spite of that inhumane effort, however, Cuba guarantees its people a remarkable panoply of human rights.

Healthcare

Unlike in the United States, healthcare is considered a right in Cuba. Universal

healthcare is free to all. Cuba has the highest ratio of doctors to patients in the world at 6.7 per 1,000 people. The 2014 infant mortality rate was 4.2 per 1,000 live births – one of the lowest in the world.

Healthcare in Cuba emphasizes prevention, rather than relying only on medicine, partly due to the limited access to medicines occasioned by the U.S. blockade. In 2014, the Lancet Journal said, “If the accomplishments of Cuba could be reproduced across a broad range of poor and middle-income countries the health of the world’s population would be transformed.” Cuba has developed pioneering medicines to treat and prevent lung cancer, and prevent diabetic amputations. Because of the blockade, however, we in the United States cannot take advantage of them.

Education

Free education is a universal right up to and including higher education. Cuba spends a larger proportion of its GDP on education than any other country in the world. “Mobile teachers” are deployed to homes if children are unable to attend school. Many schools provide free morning and after-school care for working parents who have no extended family. It is free to train to be a doctor in Cuba. There are 22 medical schools in Cuba, up from only three in 1959 before the Cuban Revolution.

Elections

Elections to Cuba’s national parliament (the National Assembly) take place every five years and elections to regional Municipal Assemblies every 2.5 years. Delegates to the National Assembly then elect the Council of State, which in turn appoints the Council of Ministers from which the President is elected.

As of 2018 (the date of the next general election in Cuba), there will be a limit of no more than two five-year terms for all senior elected positions, including the President. Anyone can be nominated to be a candidate. It is not required that one be a member of the Communist Party (CP). No money can be spent promoting candidates and no political parties (including the CP) are permitted to campaign during elections. Military personnel are not on duty at polling stations; school children guard the ballot boxes.

Labor Rights

Cuban law guarantees the right to voluntarily form and join trade unions. Unions are legally independent and financially autonomous, independent of the CP and the state, funded by members’ subscriptions. Workers’ rights protected by unions include a written contract, a 40-44-hour week, and 30 days’ paid annual leave in the state sector.

Unions have the right to stop work they consider dangerous. They have the right to participate in company management, to receive management information, to office space and materials, and to facility time for representatives. Union agreement is required for lay-offs, changes in patterns of working hours, overtime, and the annual safety report. Unions also have a political role in Cuba and have a constitutional right to be consulted about employment law. They also have the right to propose new laws to the National Assembly.

Women

Women make up the majority of Cuban judges, attorneys, lawyers, scientists, technical workers, public health workers and professionals. Cuba is ranked first in Save the Children's "Lesser Developed Countries" Mother's Index. With over 48 percent women MPs, Cuba has the third highest percentage of female parliamentarians in the world. Women receive nine months of full salary during paid maternity leave, followed by three months at 75 percent of full salary. The government subsidizes abortion and family planning, places a high value on pre-natal care, and offers "maternity housing" to women before giving birth.

Life Expectancy

In 2013, the World Health Organization listed life expectancy for women in Cuba at 80; the figure was 77 for men. The probability of dying between ages 15 and 60 years per 1,000 people in the population was 115 for men and 73 for women in Cuba.

During the same period, life expectancy for women in the United States was 81 for women and 76 for men. The probability of dying between 15 and 60 per 1,000 people was 128 for men and 76 for women in the United States.

Death Penalty

A study by Cornell Law School found no one under sentence of death in Cuba and no one on death row in October 2015. On Dec. 28, 2010, Cuba's Supreme Court commuted the death sentence of Cuba's last remaining death row inmate, a Cuban-American convicted of a murder carried out during a 1994 terrorist invasion of the island. No new death sentences are known to have been imposed since that time.

By contrast, as of Jan. 1, 2016, 2,949 people were on death row in state facilities in the United States. And 62 were on federal death row as of March 16, 2016, according to Death Penalty Information.

Sustainable Development

In 2006, the World Wildlife Fund (WWF), a leading global environmental organization, found that Cuba was the only country in the world to have achieved sustainable development. Jonathan Loh, one of the authors of the WWF report, said, "Cuba has reached a good level of development according to United Nations' criteria, thanks to its high literacy level and a very high life expectancy, while the ecological footprint is not large since it is a country with low energy consumption."

Stop Lecturing Cuba and Lift the Blockade

When Cuba and the U.S. held talks about human rights a year ago, Pedro Luis Pedrosa, head of the Cuban delegation, said, "We expressed our concerns regarding discrimination and racism patterns in US society, the worsening of police brutality, torture acts and extrajudicial executions in the fight on terror and the legal limbo of prisoners at the US prison camp in Guantanamo."

The hypocrisy of the U.S. government in lecturing Cuba about its human rights while denying many basic human rights to the American people is glaring. The United States should lift the blockade. Obama should close Guantanamo and return it to Cuba.

Marjorie Cohn is a professor at Thomas Jefferson School of Law, former president of the National Lawyers Guild, and deputy secretary general of the International Association of Democratic Lawyers. Her most recent book is **Drones and Targeted Killing: Legal, Moral, and Geopolitical Issues**. Follow her on Twitter at **@marjoriecohn**.

Seeking More Cold War with Cuba

The neocons who dominate Official Washington speak most loudly through their flagship newspaper, The Washington Post, almost always seeking confrontation rather than cooperation in addressing the world's problems, such as Cold War-era hostility toward Cuba, as ex-CIA analyst Paul R. Pillar explains.

By Paul R. Pillar

A *Washington Post* **editorial** proclaims in its headline, "Failure in Cuba," with a bank head that declares, "Mr. Obama's opening is not leading to positive change." One should not expect anyone, including editorial boards, who have been opposed to a policy departure to change their own position quickly. But what the

Post has to say about Cuba illustrates some unfortunate tendencies that have warped policy debate on other issues as well.

The biggest problem is the failure to ask, "What's the alternative?" And to ask as well, "Why should the alternative be expected to bring any better results, especially on the very criteria on which the policy at hand is being criticized?"

This failure was quite apparent in much of the opposition to the agreement to limit Iran's nuclear program, an agreement that was clearly superior to the only real alternative, which was the absence of an agreement, on most of the very topics that opponents themselves were raising, from the size of uranium stockpiles to the frequency of international inspections.

With regard to Cuba, this deficiency of the argumentation is even more glaring because the alternative to Mr. Obama's opening, i.e., a continued attempt to isolate and ostracize Cuba, has had an enormously long time to show what it can, or cannot do. In fact, it's had half a century to show that; the United States instituted a full economic embargo on Cuba in 1962.

The U.S. embargo and attempted isolation of Cuba are the archetype of a failed policy. That policy has failed to bring about hoped-for change either small (the *Post* editorial talks about rates for wi-fi service in Cuba) or large (fundamental political change in the Castro regime) or much in between (including various human rights issues).

The inconsistency of the standards being applied in the editorial, as far as time and expectations are concerned, is ludicrously large. Evidently half a century, through ten different U.S. administrations, is deemed insufficient time to judge whether the policy of isolation can ever achieve any useful results. But the editorial criticizes President Obama's opening for not bringing about a "sea change in Cuba" during the brief time it has been in effect. The announcement of the move to restore diplomatic relations was barely more than year ago, and embassies were reopened only six months ago.

Another flaw in the argumentation that we have seen before is to pin everything on one policy change and to fail to take account of other important conditions. The big, important condition regarding U.S.-Cuban relations is that the economic embargo is still in effect. The Obama administration has been limited to changes it can make through executive action; the embargo stays in effect as long as a majority in Congress refuses to end it.

When the *Post* editorial writers complain about meager Cuban purchases of U.S. goods and little evidence of opportunities coming to the private sector in Cuba,

that is properly considered an indictment of the continuing embargo rather than, as the editorial portrays it, a deficiency in the steps the administration has taken.

Repeated references in the *Post*'s piece to "unilateral concessions" made to Cuba reflects another unfortunately all-too-common tendency, which is to consider any hardship in a country with a regime we don't like to be good in its own right, and thus any lessening of economy-damaging sanctions or embargoes as a loss for the United States.

Damaging someone else's economy is of value only if helps to bring about some other desirable change in the other country's policies or behavior, which the embargo of Cuba has manifestly failed to do. The embargo has hurt ordinary Cubans most of all, and that hurt is of no positive value to the United States. Neither has it done any good for U.S. credibility worldwide, given that it is the United States, not Cuba, that has been isolated politically on the issue.

Before President Obama started to redirect it, U.S. policy toward Cuba had been (and with the embargo, still is) like an ugly and embarrassing time capsule. The embargo and attempted isolation are as antiquated as those 1950s-era American-made cars that the Cubans somehow manage to keep running.

The policy has been the political remnant of one particular generation of Cuban-Americans who have had legitimate grievances against the Castro regime but have gotten stuck making one big gesture and never moved on to think about what works and what doesn't. The gesture lives on in the next generation most conspicuously in the person of Marco Rubio, whose stubborn defense of the embargo is inconsistent and illogical.

It would be good both for the United States and for the Cuban people if further generational change and political evolution can move this issue out of the 1960s and into the Twenty-first Century, where it belongs.

Paul R. Pillar, in his 28 years at the Central Intelligence Agency, rose to be one of the agency's top analysts. He is now a visiting professor at Georgetown University for security studies. (This article first appeared as a blog post at The National Interest's Web site. Reprinted with author's permission.)

Obama's Gitmo Failure

As President Obama approaches his final year in office, he has yet to fulfill one of his earliest promises, closing the Guantanamo Bay prison. It remains a

grievance used by terror groups as a recruiting tool, but the prison has other legal and political problems, writes Marjorie Cohn at TeleSUR.

By Marjorie Cohn

President Barack Obama has yet to fulfill the promise he made in his Jan. 22, 2009 executive order to shutter Guantanamo “no later than one year from the date of this order.” Any individuals remaining there at the time of closure, Obama wrote, “shall be returned to their home country, released, transferred to a third country, or transferred to another United States detention facility in a manner consistent with law and the national security and foreign policy interests of the United States.”

However, after threatening to veto the final draft of the annual National Defense Authorization Act (NDAA) partly because it forbids the transfer of Guantanamo detainees to the United States and tightens barriers to sending them to other countries, Obama caved. A White House spokesperson said Obama would sign the legislation, which passed overwhelmingly in the House and Senate. Sen. Bernie Sanders, I-Vermont, was one of three senators to vote against the bill.

Nearly seven years after Obama’s promise, 112 men remain at Guantanamo, half of whom have been cleared for release. Obama has released 54 prisoners and is reviewing the cases of others still being held.

In March 2011, Obama designated 46 men to remain in indefinite detention without trial, but promised periodic review of their cases. Arbitrary detention violates the International Covenant on Civil and Political Rights, a treaty the United States has ratified, making it part of U.S. law under the Supremacy Clause of the U.S. Constitution.

The periodic reviews didn’t start until November 2013, spurred by hunger strikes at the prison. The reviews continue to be conducted. As a result of those reviews, 14 additional men were cleared for release and five of them have been released.

In April 2013, Obama said, “I think it is critical for us to understand that Guantanamo is not necessary to keep America safe. . . . It hurts us in terms of our international standing. . . . It is a recruitment tool for extremists. It needs to be closed.” Yet it remains open.

One of the transfer restrictions required the Secretary of Defense to notify Congress 30 days before a transfer that it would be good for national security. But to avoid being personally responsible if a detainee were to become a terrorist, former Defense Secretary Chuck Hagel hesitated to allow transfers.

Obama is reportedly preparing a plan to speed up transfers of half the remaining Guantanamo prisoners to their home countries or other willing nations. The plan will also set forth new security protocols to prevent detainees from returning to terrorist activities once released.

Military experts are conducting surveys of prisons in the United States for possible transfer of detainees. They include the military prison at Ft. Leavenworth, Kansas; the Naval Consolidated Brig in Charleston, South Carolina; and the U.S. Supermax prison in Florence, Colorado.

In spite of the NDAA, Obama has the power to close Guantanamo. Former White House counsel Gregory Craig and Cliff Sloan, former special envoy for Guantanamo closure, maintain, "the president does not need Congress's authorization to act." They wrote in the Washington Post, "Under Article II of the Constitution, the president has exclusive authority to determine the facilities in which military detainees are held. . . . The determination on where to hold detainees is a tactical judgment at the very core of the president's role as commander in chief."

According to Craig and Sloan, "Congress's purported ban on funding any movement of detainees from Guantanamo Bay to the United States restricts where 'law-of-war' detainees can be held and prevents the president from discharging his constitutionally assigned function of making tactical military decisions. Accordingly, it violates the separation of powers."

Lt. Col. David Frakt, who has represented Guantanamo detainees before the military commissions and in federal habeas corpus proceedings, concurs. "When the Obama administration really wants to transfer a detainee, they are quite capable of doing so," Frakt wrote in JURIST. He said Obama should direct his Attorney General to inform the D.C. Circuit Court of Appeals that the Department of Justice no longer considers the cleared detainees to be detainable.

Col. Morris Davis, former Chief Prosecutor for the Terrorism Trials at Guantanamo, personally charged Osama bin Laden's driver Salim Hamdan, Australian David Hicks, and Canadian teen Omar Khadr. All three were convicted and have been released from Guantanamo.

"There is something fundamentally wrong with a system where not being charged with a war crime keeps you locked away indefinitely and a war crime conviction is your ticket home," Davis wrote to Obama.

Of the 780 men held at Guantanamo since 2002, only eight were tried and convicted of war crimes. Of those, just three remain at Guantanamo.

Many of the detainees reported being assaulted, prolonged shackling, sexual

abuse, and threats with dogs. Australian lawyer Richard Bourke, who has represented several Guantanamo detainees, charged they have been subjected to “good old-fashioned torture.” Detainees who engage in hunger strikes are subjected to force-feeding, a practice the UN Human Rights Council has called torture or cruel, inhuman or degrading treatment. At least seven men have died at the prison camp.

The United States has illegally occupied Guantánamo since 1903, after Cuba’s war of independence against Spain. Cuba was forced to include the Platt Amendment in the Cuban constitution. The amendment granted the United States the right to intervene in Cuba as a prerequisite for the withdrawal of U.S. troops from the rest of Cuba. That provision provided the basis for the 1903 Agreement on Coaling and Naval Stations, which gave the United States the right to use Guantánamo Bay “exclusively as coaling or naval stations, and for no other purpose.”

President Franklin D. Roosevelt signed a new treaty with Cuba in 1934 that allows the United States to remain in Guantánamo Bay until the U.S. abandons it or until both Cuba and the United States agree to modify their arrangement. According to that treaty, “the stipulations of [the 1903] agreement with regard to the naval station of Guantánamo shall continue in effect.”

That means Guantánamo Bay can be used for nothing but coaling or naval stations. Article III of the 1934 treaty also says that Cuba leases Guantánamo Bay to the United States “for coaling and naval stations.” Nowhere in either treaty did Cuba give the U.S. the right to utilize Guantánamo Bay as a prison camp.

Former Cuban President Fidel Castro has long maintained that Guantanamo is part of Cuba and that the U.S. illegally occupies it. One of Cuban President Raul Castro’s requirements for normalization of relations with the United States is the return of Guantanamo to Cuba.

If there is probable cause to believe a detainee committed a crime, he should be sent to the United States for trial in federal court. The remaining detainees should be returned to their countries of origin or third countries if that is not feasible. After shuttering the prison camp, Obama should return Guantanamo Bay to Cuba, its rightful owner.

Marjorie Cohn is a professor at Thomas Jefferson School of Law, former president of the National Lawyers Guild, and deputy secretary general of the International Association of Democratic Lawyers. Her most recent book is [Drones and Targeted Killing: Legal, Moral, and Geopolitical Issues](#). See [Marjorie’s blog](#). [This [article](#) was originally published by teleSUR.
