An Open Letter
in anticipation of the Commission for Assistance to a Free Cuba’s new recommendations slated to become public in May 2006

ENCASA/US-CUBA
Emergency Network of Cuban American Scholars and Artists for Change in U.S.-Cuba Policy

We are a group of Cuban American scholars and artists who have coalesced as a network of U.S. citizens opposed to current U.S. policy toward Cuba. We are committed to promoting reasoned debate in the public arena, to countering the stereotype of a monolithic Cuban American community, to challenging the disproportionate influence of an unrepresentative sector out of touch with U.S. public opinion, and to help bring about an end to a failed policy that defies all sound principles for conducting foreign affairs.

By any measure, U.S. policy toward Cuba has been singularly unsuccessful for almost half a century. It has been a political and moral failure. The U.S. embargo inflicts economic hardship on the Cuban people while denying opportunities to American farmers and business. Harsh travel restrictions infringe on the rights of American citizens and contribute to the trauma of separation of Cuban families. Laws intended to isolate Cuba internationally instead have alienated the U.S. from the rest of the world, especially its closest neighbors in this hemisphere, while earning the Cuban government sympathy and solidarity. Time and again, from the Bay of Pigs to the Helms-Burton law, the policy of regime change—in place since the Eisenhower administration—has backfired. Increasingly, hard-line U.S. policies have done nothing but reinforce hard-line tendencies on the island. The Bush administration has taken this policy to an even more extreme level by adopting the 2004 Report to the President: Commission for Assistance to a Free Cuba (http://www.state.gov/p/wha/rt/cuba/). This singular track record of failure points to the need for a fundamentally different approach toward Cuba.

As U.S. citizens, we call for a new U.S. policy toward Cuba consistent with U.S. principles and ideals. Restrictions which bar U.S. citizens from traveling to Cuba, and which are not applied to any other nation in the world, curtail our fundamental freedoms. These restrictions pose an additional and inhumane hardship on Cuban families already suffering from often traumatic separations, as demonstrated by a recent Human Rights Watch report, “Families Torn Apart: The High Cost of U.S. and Cuban Travel Restrictions” (http://hrw.org/reports/2005/cuba1005/).
New regulations on travel by Cuban-Americans to visit their families in Cuba restrict family visits to once every three years, providing no exception for medical and other emergencies. The restrictions also radically and absurdly redefine "family" in a way that excludes cousins, aunts and uncles, nieces and nephews. Such redefinitions are not in line with widely-held understandings of "family," especially in the context of Cuban cultural practices, and undermine and disregard the emotional and psychological importance of family ties. New limitations in the number and dollar value of shipments to family members of such basic necessities as medicines and medical supplies, as well as the elimination of packages containing clothing, toilet paper, soap, and other basic necessities, are cruel and counter to humanitarian principles. We insist that family values must include the freedom to visit and to send vital necessities to our families.

The tightened restrictions on travel also curtail the freedom of American citizens to pursue programs of cultural and educational exchange in Cuba. The value of scholarly study about Cuba, as well as the right of U.S. citizens to pursue such study, is seriously undermined, and the ideal of the free exchange of ideas is profoundly diminished. Further, the possibilities of contacts and exchanges of a religious and humanitarian nature between U.S. citizens and Cubans are seriously restricted. These limitations on the basic freedoms of U.S. citizens are unacceptable.

The Cuban nation has a long and proud record of struggle for self determination and defense of its sovereignty. For more than 500 years, Cubans have rejected and defeated colonialism, military interventions and foreign influences. The policy embraced by the Bush administration and spelled out in the 2004 Commission Report ignores and misreads Cuban history. Moreover, the policy attempts to negate the Cuban people’s right to self determination and sovereignty by implying that the U.S. should have a major role in determining Cuba’s future. Cuba’s present and future must be determined by the Cuban people, not by the United States.

Just as we condemn U.S. policy over the last 47 years and the restrictions and violations of basic freedoms and rights in Cuba over the same period, we lament the climate of intolerance that exists in our own community. The only beneficiaries of this culture of intransigence are certain enterprises, politicians, and media personalities who have built careers and fortunes manipulating the pain of our community. Those who practice persecution or who use their money and influence to silence those in the Cuban American community who dissent from a false monolithic consensus undermine democracy and human rights here and in the homeland.

While Cuban American academics and public intellectuals—artists, writers, philosophers, scientists, legal scholars and others—have at times played significant roles in efforts to change U.S.-Cuba policy as individuals, to date there has been no concerted participation of this sector of our community in the struggle to end an unjust and irrational approach toward Cuba. In Cuban history, intellectuals repeatedly acted as moral agents and catalysts for change. In the United States today, intellectuals continually come together to speak out on important causes, providing a moral compass to their society. Drawing from those noble traditions of civic participation in both Cuba and the United States—and with a great sense of urgency—we have organized ourselves to voice our outrage at a policy that is inhumane, unjust, ill-conceived, hypocritical, and contrary to American ideals. For too long, this debate has been dominated by one sector of our community. We are determined that no longer will others in our community speak for us as they continue to insist on taking this country down a misguided path that has served neither the best interests of the United States nor those of the Cuban people.
(The following is a partial list of members of ENCASA/US-CUBA. Institutional affiliations are given for purposes of identification only.)

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We are a group of Cuban American scholars and artists who have come together as a force to help shape U.S. policy toward Cuba. We are committed to promoting reasoned debate in the public arena, to countering the atrocity of a monolithic Cuban American community, to challenging the discrediting influence of an unrepresentative sector of U.S. public opinion, and to helping bring about an end to a failed policy that denies all sound principles for constructive, long-term change.

By any measure, U.S. policy toward Cuba has been singularly unsuccessful for almost half a century. It has been a political and moral failure. The U.S. embargo reflects economic design, the Cuban people while denying opportunities to American businesses and farmers. Harsh travel restrictions inflict on the rights of American citizens and contribute to the trajectory of repatriation of Cuban families. Laws intended to isolate Cuba internationally instead have alienated the U.S. from the rest of the world, especially its closest neighbors in this hemisphere, while earning the Cuban government sympathy and solidarity. Time and again, from the Bay of Pigs to the Helms-Burton law, the policy of reactive change—in place since the Eisenhower administration—has backfired, increasingly, harsher U.S. policies have done nothing but reinforce harrowing tendencies on the island. The Bush administration has taken its policy to an even more extreme level by adopting the 2004 Report to the President: Commission for Assistance to a Free Cuba (http://www.state.gov/p/wha/facts/cubareport.htm). This singular track of failure points to the need for a fundamentally different approach toward Cuba.

As U.S. citizens, we call for a new U.S. policy toward Cuba consistent with U.S. principles and ideals. Restrictions which have been applied to Cuba as a whole are being applied to no other nation in the world, curtailing our fundamental freedoms. These restrictions pese an additional humanitarian hardship on Cuban families already suffering from often traumatic separations, as demonstrated by a recent Human Rights Watch report, "Families Separated: The High Cost of U.S. and Cuban Travel Restricitons" (http://www.hrw.org/reports/2005/cuba1965/).

New regulations in the travel of Cuban-Americans to visit their families in Cuba, restrict family visits to once every three years, providing no exception for medical and other emergencies. The restrictions discriminate against a large portion of U.S. citizens who are family members of Cuban Americans, as well as tourists, who are family members of Cuban citizens, and as such, should have the right to travel, visit, and reside. The restrictions are also discriminatory, as they favor travel to Cuba by family members of the U.S. military and government officials, who are not family members of Cuban citizens.

We call on the U.S. government to table these unfair and unjust policies and to adopt the recommendations of the ENCASA/US-CUBA Commission for Assistance to a Free Cuba, which includes the following:

1. End the travel restrictions on all U.S. citizens, including tourist, family, and professional travel.
2. Lift all frozen assets of U.S. citizens and their family members held by the Cuban government.
3. Lift all restrictions on the distribution and sale of Cuban literature, art, and culture.
4. Lift all restrictions on the export of cultural goods and services.
5. Lift all restrictions on the importation of Cuban goods and services.
6. Lift all restrictions on the exchange of ideas and information.
7. Lift all restrictions on the travel of U.S. citizens to Cuba.
8. Lift all restrictions on the travel of Cuban citizens to the United States.
9. Lift all restrictions on the travel of Cuban Americans to Cuba.
10. Lift all restrictions on the travel of Cuban Americans to the United States.

We call on the U.S. government to end its failed policies and to adopt a new policy that is consistent with U.S. principles and ideals, and that will allow the Cuban people to determine their own future in a free and democratic society.

Signed,
[Signature List]
Charting a New Course on U.S.-Cuba Policy:
Seizing a Historic Opportunity

An Open Letter to President-elect Barack Obama:
Mr. Obama, Tear Down This Wall

The next President of the United States, Barack Obama, will have the unprecedented opportunity to change a policy that for nearly half a century has been ineffective in improving the lives of the Cuban people and advancing the interests of the United States.

The laws and regulations Washington has implemented over the past five decades with the intent of isolating Cuba and changing its government have served only to preserve the status quo and isolate the United States from its neighbors and the international community as a whole.

A clear manifestation of this is the fact that, for the last 17 years, the United Nations General Assembly has repeatedly and virtually unanimously repudiated the U.S. embargo of the island nation. This year’s vote, on October 29, 2008, was more lopsided than ever. Out of 192 states, 185 voted against the United States. Only two countries supported the U.S. position (Israel and Palau), while the remaining four either abstained (Micronesia, the Marshall Islands) or declined to vote (El Salvador and Iraq).

With the alleged purpose of improving the economic and political lives of the Cuban people, ten U.S. Presidents, from Dwight Eisenhower to George W. Bush, have tried and failed to bring about change in Cuba by limiting diplomatic, commercial, and personal contacts with the island and by attempting to strangle the Cuban economy. It is not surprising that a policy based on the perverse logic that lack of contact will induce change has been a total failure.

U.S. policy toward Cuba has not only been a failure in attaining its stated objectives of inducing democratic changes on the island. It also has placed the most powerful nation on the planet in the embarrassing position of acting as if threatened by a nation the size of Pennsylvania with a shrunken military capability and a sputtering economy. What other explanation than an absurd perception of threat is there for the United States to forbid its own citizens—including and most egregiously its citizens of Cuban origin—to travel to Cuba? The limit on family visits to once every three years regardless of emergencies and
other humanitarian concerns is an especially cruel policy not applied to U.S. citizens from any other national origin.

In reality, of course, the U.S. is hardly threatened by Cuba, and a great nation’s policy should not be based on pique. U.S. policy toward the island is maintained neither by sound foreign policy considerations nor by any credible threat to U.S. national security. As everyone recognizes, in the post-Soviet era, the embargo is sustained principally by domestic political concerns. The result of pandering to a shrinking but still powerful minority within the Cuban American population is a failed policy harmful to the interests of Cubans, Cuban Americans, and the United States.

Outdated assumptions about Cuban American voting behavior and Florida electoral politics and the exaggerated influence of some members of the Cuban American community have kept such a senseless policy in place. As members of that community, ENCASA calls upon the new President of the United States to take the historic step of changing course away from an ineffective, counterproductive, unjust, and harmful path toward one more consistent with the interests of the United States and the Cuban people on both sides of the Florida Straits.

The present moment is unprecedented in providing the opportunity for the new President of the United States to depart from a policy that has kept ten of his predecessors from achieving a positive impact on U.S.-Cuba relations:

Such a policy should be based on the realities of 2009 and not those of 1959:

1. *The Cuban American community is no longer monolithic (if it ever was) in supporting the continuing isolation of Cuba.* Opinion polls and local electoral challenges in Miami indicate that among Cuban Americans the younger generation and more recent arrivals have more nuanced attitudes toward U.S. policy than those of the dwindling members of the old guard. The extreme measures adopted in 2004 by the U.S. government severely limiting visits by Cuban Americans to their loved ones on the island, narrowing the definition of family and restricting remittances, only served to turn more Cuban Americans against a policy that harms the Cuban family. Many of them have for the first time found the courage to oppose the continuing imposition of the political will of an entrenched minority within the community.

2. *Changes in Cuba since the replacement of Fidel Castro as president point to an evolution of the Cuban political system in the direction of a greater willingness to consider alternatives that were previously not possible.* The tendency towards a greater pragmatism and away from ideologically-based policies is likely to make the government in Havana more amenable to engaging in meaningful actions that will improve the economic and political life of the Cuban people and change the nature of U.S.-Cuba relations.
We therefore call upon the next President of the United States, Barack Obama, to take advantage of these opportunities and initiate a historic course of action:

1. Immediately rescind the 2004 restrictions on Cuban American travel and remittances to the island.

2. Permit unrestricted travel by U.S. citizens to Cuba.

3. Signal to the Cuban government a willingness to enter into conversations with the purpose of exploring ways to normalize relations between the two countries for their mutual benefit and to improve the lives of the Cuban people.

These steps would be loudly applauded by Americans, Cuban Americans, Cubans and Latin Americans—indeed, by the international community as a whole. To adopt the course of action we envision would send a very clear message to the entire world that a new U.S. administration is embarking on a new foreign policy based on communication and engagement.

ENCASA/US-CUBA is a national network of more than 400 scholars, artists, writers, academics and professionals affiliated with universities in more than 150 cities in 37 states, the District of Columbia and Puerto Rico. For more information, see http://www.encasa-us-cuba.org/
TO: ENCASA members
RE: Status Report: Recent ENCASA activities in Washington, DC
Date: September 30, 2006

On September 18-21 members of the ENCASA steering committee met in Washington DC for a series of meetings, conferences, Congressional briefings, and lobbying efforts in both the House and the Senate to present our concerns for change in US-Cuba policy. We also met (for only the second time since our original “retreat” last February which led to the formation of ENCASA) to plan ahead for the future of our network, with an eye both to possible changes in the composition of Congress after the elections in November, and to the start of the presidential campaign soon thereafter. This brief report provides a summary of what we have accomplished as a result.

Activities, September 18-20, 2006:

Retreat from Reason: U.S.-Cuban Academic Relations and the Bush Administration

On September 18, a major report two years in the making, aptly entitled Retreat from Reason: U.S.-Cuban Academic Relations and the Bush Administration, was publicly presented at a well-attended conference at George Washington University, sponsored by the Latin America Working Group (LAWG) Education Fund, the Washington Office on Latin America (WOLA), and the GWU Latin American and Hemispheric Studies Program. The report, a must-read available at http://www.lawg.org/docs/retreatfromreason.pdf, which analyzes the history of U.S.-Cuban academic engagement and the impact of Bush Administration policy, was written by a binational academic working group (three scholars from Cuba, three from the United States). [Two of the report’s authors, Professors Sheryl Lutjens and Louis A. Pérez, Jr., are ENCASA members.]

As you’ll see on pp. 7-9 of the report, their specific recommendations (for the U.S. government and Congress and the U.S. academic community, for the Cuban government and Cuban scholars and academic institutions, and for both countries) are directly in line with ENCASA’s. From the report: "Academic and educational exchanges between Cuba and the U.S. should be guided by internationally recognized norms of freedom of thought and expression, and due respect for sovereignty, independence and self-determination. Academic relations should not be employed as a foreign relations instrument, nor regulated for political, ideological or foreign policy ends."

But as the authors go on to document, "The Bush's administration's intended elimination of cultural, educational, academic, and now religious relations between the Cuban and United peoples--save those that serve its political purposes--has in fact had negative effects. Academic and educational travel to Cuba [since 2004] has declined dramatically, as much as 90 percent..."

Endorsing statements were read by representatives of AAUP (http://www.aaup.org/aaup), the Latin America Studies Association (http://www.cubasection.org/htm/seccion.php) [the new chair of LASA’s Cuba Section, Félix Masud-Piloto, is on ENCASA’s steering committee], and the Emergency Coalition to Defend Educational Travel [ECDET - http://www.ecdet.org/index.html - whose chair and other members are also part of ENCASA], as well as by ENCASA. This was followed by a discussion of strategies for restoring U.S.-Cuban academic and educational
briefings. In attendance was a member of the staff of the American Sociological Association; it is possible that several major scholarly associations may follow suit and endorse the report’s recommendations. We will keep you posted.

**Briefings on Capitol Hill**

Members of the ENCASA steering committee also attended and spoke at two follow-up briefings on Capitol Hill which involved the presentation of “Retreat from Reason:” one for members of the House and staff on Sept. 19 (sponsored by Rep. Barbara Lee), and the other for members of the Senate and staff on Sept. 20 (sponsored by Senators Michael Enzi and Edward Kennedy).

**ENCASA contacts with members of the Senate and the House**

ENCASA members also met in separate meetings on the Hill to present our organization, our analysis of US-Cuba policy, and our recommendations for change with the Co-Chairs of the Cuba Working Group of the House of Representatives, William Delahunt (D-Massachusetts) and Jeff Flake (R-Arizona) and their staffs; and also with staff of Senator Mel Martínez (R-Florida). ("La peor gestión es la que no se hace.")

**ENCASA contacts with the press**

On September 19, we met with members of the press for 90 minutes, to discuss in some depth the formation of our network and the concerns which animate us to work for change in US-Cuba policy. A story based on that meeting was published by Reuters América Latina on September 20, via its wire services throughout Latin America, entitled “Intelectuales EEUU, descontentos con política hacia Cuba,” written by DC-based reporter Adriana García, with additional reporting by Esteban Israel from Havana.

**Conference at the Brookings Institution**

On September 20, we participated in an intensive discussion with a broad array of organizations and individuals with expertise on US-Cuba policy, to examine how we can best respond to the new situation in Cuba and to the administration’s policy toward Cuba which continues to be ill-conceived and counterproductive. What should we be doing in the Congress, in informing public opinion, in the courts, with U.S. business and agricultural groups, and with U.S. academic circles, to encourage a more constructive approach (or approaches) toward Cuba, especially in light of the new situation there? Discussion leaders included Wayne Smith of the Center for International Policy; Mavis Anderson of the Latin American Working Group; Silvia Wilhelm of Puentes Cubanos/Cuban Bridges; Alfredo Durán of the Cuban Committee for Democracy; Rubén Rumbaut of ENCASA; Kirby Jones of the U.S.-Cuba Trade Association; Bob Muse of Muse and Associates; and José Pertierra, Attorney at Law. The event, held at the Brookings Institution, was sponsored by the Center for International Policy, the Latin American Working Group, and the Washington Office on Latin America. While there, contacts were made with executive directors of foundations who may be able to support ENCASA’s efforts in the near future, and to discuss future ENCASA activities.
ENCASA retreat (but not from reason!)

In addition, we covered a lot of ground at our “retreat” while in Washington. Among the issues discussed, several of which remain pending at the moment, were the following:

- the development of a website to enhance our regular communications with members and non-members (a lot of progress has already been made along those lines in the past week; you can expect the link soon), as well as a list-serve for interested ENCASA members;
- the incorporation of ENCASA as a non-profit organization;
- the establishment of bylaws, and of a rotating executive committee;
- the formation of committees/working groups in which all ENCASA members will be invited to participate, including these areas: webpage, list-serve; membership, recruitment, outreach; fundraising, finance; legal; communications, media relations, status reports; lobbying, advocacy; research, intellectual development;
- short-term strategies to expand our advocacy efforts with the help of the news media, Congressional and NGO contacts, including the preparation of “briefing books” to be presented to new members of the House and Senate after the 2006 November elections—possibly at a special ENCASA-sponsored event (now under consideration) in mid-January in Washington for new members of Congress; and
- longer-term goals, including: lobbying of 2008 presidential hopefuls; production of a “white paper” to send to those candidates; a “summit” for ENCASA members to discuss recommendations in the “white paper” (one possibility: a post-LASA day in Montreal on Sept. 9, 2007); publication of ENCASA papers in various venues; a virtual “think tank” for scholarly production on the Cuban American population and US-Cuba relations; documenting the history of ENCASA via oral histories, collection development.

Incorporation of ENCASA

Members of the ENCASA steering committee are currently considering whether the group should incorporate, or become a 501(c)(3) tax-exempt organization. The benefits of incorporation would include an augmented capacity to raise money, including foundation funds, to support our efforts. But because of the record-keeping requirements and restrictions on lobbying faced by 501(c)(3)’s, we remain in the exploratory stages of the process. Before we actually go through the process, we’ll seek legal advice from experts who work on these issues directly, particularly re: restrictions on lobbying.

Membership report and new recruitment efforts

As of the end of August 2006, ENCASA counted 385 members in 35 states plus DC and Puerto Rico, mostly academics based in more than 150 universities in about 100 cities nationwide. Of these, 150 are Cuban Americans, and 235 are non-Cuban-American “allies.” For all intents and purposes, we have not sought to recruit new members since the intense Phase I effort of last March and April, prior to the publication of our full-page Open Letter in the Miami Herald on April 27. However, our activities in Washington this month, accompanied by flyers with information about how to join ENCASA, is expected to lead to a flurry of new members who want a more rational policy toward Cuba, and who are fed up with a 47-year-old record of policy failures that lead only to more draconian measures to prohibit travel to and exchange with Cuba.
As strategies for Phase II recruitment are specified, we’ll keep you apprised. This will also be spelled out in the ENCASA webpage that is now being set up.

**Amicus brief filed by ENCASA in federal court**

As you know, at the end of July 2006, ENCASA filed an *amicus curiae* brief in federal court in Florida in the case of *Faculty Senate of FIU v. Winn*. The brief supports plaintiffs’ challenge to the validity of Florida statute S.B. 2434, an Act Relating to Travel to Terrorist States, which prohibits the use of state funds, as well as the use of non-state funds made available to any public university in Florida, to support travel to “terrorist states”—a list that includes Cuba. On August 22, 2006, the court formally accepted the brief, making ENCASA’s position on the statute a part of the official record. Relying on written declarations submitted by Cuba scholars from a wide variety of disciplines, the brief underscores that the Florida statute tramples on the academic freedoms the Supreme Court long has recognized as protected by the First Amendment. By effectively prohibiting faculty and students at Florida’s public universities from traveling to Cuba, the law makes it virtually impossible for academics to conduct credible research and interferes with the University’s autonomy over educational policy. The suit remains pending in the Southern District of Florida. Regardless of the ultimate outcome in the trial court, we can anticipate an appeal to the Eleventh Circuit Court of Appeals, which will create further opportunity for ENCASA involvement in the case.

**Conclusion**

One thing that was clear in Washington was the extent to which ENCASA has become known among major policy players, both in and out of government, and perceived as a group with a unique potential to play a significant role in effecting US-Cuba policy change. We will continue to do everything we can to that end, and hope that you will join with us in what ways you can.

Members of the ENCASA Steering Committee:

- **Ruth Behar**  Professor, University of Michigan at Ann Arbor
- **Marta Caminero-Santangelo**  Associate Professor, University of Kansas at Lawrence
- **Max Castro**  Independent Scholar, Miami, FL
- **Elizabeth Cerejido**  Curator, Florida International University, Miami, FL
- **Ana Chichester**  Associate Professor, University of Mary Washington, VA
- **María Cristina García**  Professor, Cornell University, Ithaca, NY
- **Lillian Manzor**  Associate Professor, University of Miami, Miami, FL
- **Félix Masud-Piloto**  Professor, DePaul University, Chicago, IL
- **Eduardo Peñalver**  Associate Professor, Cornell University, Ithaca, NY
- **Lisandro Pérez**  Professor, Florida International University, Miami, FL
- **Cristina Rodríguez**  Assistant Professor, New York University, New York, NY
- **Luis Rumbaut**  Attorney, writer, Washington, DC
- **Rubén G. Rumbaut**  Professor, University of California at Irvine
- **Silvia Wilhelm**  Executive Director, Puentes Cubanos, Miami, FL