

1,000 Cigars

A Case Study of Reestablishment of Relations with Cuba

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The repercussions of the failed attempt of the invasion at the Bay of Pigs on the south coast of Cuba in 1960 left brigade prisoners in captivity for months. Attorney General Robert F. Kennedy negotiated an exchange of \$53 million worth of medicine and baby food for the prisoners. This trade was the best alternative to a negotiated agreement that included concessions the U.S. was not in a position to give; the alternative to this deal would have been a lengthy prison stay or possibly death to the prisoners. (Lewicki, 2014). The effect of the exchange provided two benefits, a humanitarian effort for the Cuban people and an opportunity to improve relations between the two countries. However, Fidel Castro failed to honor the additional terms of the agreement, resulting in the Kennedy Administration devising a plan to disrupt and overthrow the Cuban government. Regrettably that plan failed.

President John F. Kennedy may have been the most famous cigar smoker in history. His favorites were the Petit Upmans, grown and produced in Cuba. Repelled by the botched efforts of negotiating with Cuba, President Kennedy sought to cripple the Cuban government through an economic trade embargo. The embargo would restrict the trade of goods, travel, and finance to and from Cuba by American businesses and citizens. The evening before executing the embargo documents, Kennedy commanded Press Secretary Pierre Salinger to obtain 1,000 Cuban cigars. By the morning, Salinger returned with over 1,200 of the coveted delights. With a private cache of cigars, President Kennedy signed the embargo into law placing in motion a conflict between the two nations that would endure for the next half century.

Some believed that the purpose of the economic embargo on Cuba was to encourage a change of regime from a militant socialist nation to that of democracy. However, the true purpose was to protect the interests of Americans. Before the embargo, Fidel Castro had confiscated American business and properties valued then at more than \$1 billion. For the first

twenty years of the embargo Americans, other than those of Cuban descent, invested little effort in the discussion of the embargo (Landau, 2014). Other issues were of greater importance including the Cold War with Russia, the Vietnam Conflict, the beginnings of the drug war, and the sexual revolution. In 1999, President Clinton relaxed the embargo for the trade of humanitarian goods between Cuba and the U.S. It is important to note that embargo did not restrict Cuba's ability to trade with other countries. Over the years, though, Cuba has defaulted on more than \$50 billion in loans, placing its national credit rating in Moody's lowest category. This defalcation by Cuba did not affect the United States as U.S. banks, and financial institutions are prohibited from transactions with Cuba. Nevertheless both countries remained in economic and diplomatic isolation, and there has been no significant change in the ideology of Cuba. The Cuban government is still not democratic. With the cold war no longer an issue Cuba is no longer a geopolitical threat (Tymins, 2014). Moreover, it is because the embargo has not effected change a new approach to relations may be in order.

Since 1992, the United Nations General Assembly has condemned the ongoing impact of the embargo declaring it a violation of the Charter of the United Nations. Furthermore, abuses of the embargo carry stiff penalties of up to ten years in prison (Donath & Charbonneau 2014). In 2007 during a campaign debate Senator Obama indicated he was open to discussions with Cuba. In December 2014, President Obama announced that he and Raul Castro were putting the final touches on 18 months of secret negotiations to reestablish diplomatic relations between their countries. While some political pundits may have seen the secrecy as disingenuous, using back-channel diplomacy helps control many of the uncertainties that arise during diplomatic negotiations (P. 373).

The understanding by the two leaders opens up complex intergroup negotiations that require two levels. The first emphasizes that the negotiations will occur between representatives and the second focuses on the process that will be essential so each side can then sell their negotiated agreement to their respective constituents for acceptance (P.433).

The key issues of these negotiations are highlighted in five points.

1. The Presidents decided to resume diplomatic relationships
2. Neither party set conditions for how to reestablish relations.
3. Reestablishment of relations is not the same as normalization.
4. United States objectives have not changed, just seeking a different method.
5. Co-existence to be based on respect for differences.

Once the Presidents made the decision to reestablish relations each needed to put something on the table that had enough value to warrant such a bold move. One key concession included a prisoner exchange. Cuba released Alan Gross an American arrested in 2009, and an unnamed American spy in exchange for three members of the Cuban Five, who were arrested in Miami in 1998 on charges of espionage and conspiracy to commit murder. Also, President Obama agreed to *review* Cuba's status as a terrorist state with an intention of lifting the full embargo. This concession was valuable enough for Cuba to release 53 political prisoners and allow both UN human rights inspectors and the Red Cross access to the country. Other general concessions include an increased ability to transact with Cubans and relaxed travel rules.

While neither nation has imposed specific conditions to reestablish relations, the State Department, in a background briefing, reported that diplomatic negotiations have been conducted with mutual respect and within a climate of exchange and without interference. Each negotiator understands they are not authorized to reach an overall agreement, only their respective portions.

Some agreed upon concessions include that U.S. Diplomats and negotiators observe the laws of the host country while on their soil and not interfere with its existing internal affairs. This rule is part of the Vienna Convention on Diplomatic and Consular Relations. By applying another bodies rules of engagement, the negotiators agree on conditions that apply to all nations thus eliminating the need to negotiate a new agreement for this part of the process.

Normalization of relations will require the removal of the economic embargo that is a complex issue that requires acts of Congress. Normalization is the end-goal. The first step of reestablishing relations is the critical part of the integrative negotiation process. Now that the parties have agreed to talk, negotiators can help frame the process and establish an agenda. A principal reason President Obama and President Castro kept the negotiations secret was to increase the concessions by reducing the visibility of the negotiations to the constituents (P.368). They each clearly understand normalization is the end-goal, and they will each need to sell the idea to their constituents.

President Obama stated at the First Plenary Session of the Summit of the Americas this past April about Cuba, “The United States will not be imprisoned by the past – we’re looking to the future,” and he adds,

“I firmly believe that if we can continue to move forward and seize this momentum in pursuit of mutual interest then better relations between the United States and Cuba will create new opportunities for cooperation across our region.”

Reestablishing relations and seeking to reach a state of normalization does not change the United States’ original goal of freeing our Cuban neighbors from a socialist revolution and establishing democracy. President Kennedy’s economic embargo did not work in 1961, and it does not work today. President Obama stated, “We’re not in the business of regime change.” However, through

negotiation and establishing relationships perhaps the Cuban government and their people will evolve into a nation that chooses democracy.

It is clear that many of the lessons learned during the last six months of reestablished relations is that both nations have been able to address most any issue so long as it occurs within a framework of respect. Cuba has openly discussed their differences and has willingly debated topics of democracy, human rights, and free speech, all of which had previously been off the table. The context of international negotiations are complex; there are many underlying factors for reaching normalcy that will require time before reaching an agreement (P. 481). The negotiators are addressing issues of political pluralism, cultural differences, government control and bureaucracy, fragile financial structures, and ideological differences. With all the known and unknown factors, both Presidents have the vision of establishing a relationship where both nations can co-exist in a civilized manner based on mutual respect of their differences.

The United States and Cuba officially restored diplomatic relations on July 20, 2015, ending a 50-plus year standoff. While the economic embargo is still in place, the negotiations have made remarkable progress. A critical factor in the negotiations is that both parties are seeking a common goal. At the direction of their Presidents, negotiators are continuing to examine common and different interests and employing most every negotiating tactic and process with the expectation of creating the foundation for a lasting agreement (P.19). To expect that the United States will instantly lift its economic embargo would be naïve, and the Cubans understand that. There is more to do with these negotiations. It took over fifty years to get to this crucial moment, and now that diplomatic relations have resumed, patience and hard work will shape the future of this relationship.

Epilogue:

After negotiating with the U.S. Department of State for six months this past week Capt. Frank Wasson sailed from Key West Florida carrying four crew members and ten marine biologists and educators to Cuba. His vessel the *M/V Spree* is the first U.S. flagged commercial vessel to dock officially in Havana. During their five-day expedition, they explored the Cuban waters and established relations with the Cuban government to conduct educational expeditions with American citizens. This trip is a result of the negotiated agreement between the United States and Cuba to begin relaxing travel by American citizens into Cuba. Captan Frank Wasson is a colleague and friend of this author for more than fifteen years.

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