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## The Cuban Adjustment Act of 1966: Politics & Perception in Cuban Migration to the United States

Hannah Mackenzie Brown  
*Bard College*

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The Cuban Adjustment Act of 1966:  
Politics & Perception in Cuban Migration to the United States

Senior Project Submitted to  
The Division of Social Studies  
of Bard College

by  
Hannah Mackenzie Brown

Annandale-on-Hudson, New York  
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## Abstract

On November 2, 1966, the United States Congress enacted, and U.S. President Lyndon Johnson signed, the Cuban Adjustment Act of 1966 (CAA). The Act grants permanent residency to any Cuban who makes it to the United States and stays for one year. Any Cuban who touches American soil can naturalize immediately, thereby circumventing the complex system of visas and country quotas. While other immigrants are routinely shipped home, Cubans are America's special favorites. They receive an expedited entrance into the United States and hold an irrefutable claim to persecution in Cuba.

This paper explores why the American government found it necessary to enact such a policy in 1966. No opinion will be given regarding the fairness or the persistence of the Act. This paper will introduce the reasons normally cited for the passage of the Cuban Adjustment Act. These include destabilizing the Castro government, responding meaningfully to a humanitarian crisis, and smoothing the process for refugees of communist regimes.

In contrast to the realist arguments presented throughout the literature, a constructivist argument provides a sharper framework for understanding the passage of the CAA. While the CAA appears to fit into the implications of the Immigration & Naturalization Act of 1965, the Cuban Adjustment Act is a distinctive case with unique implications. The case of America's connection to Cuba is one all its own. An examination of the congressional hearings, the Mariel Boatlift of 1980, and the Migration Accords of 1994 & 1995 will bring this new framework to light.

## Introduction

On November 2, 1966, the United States Congress enacted, and President Lyndon Johnson signed, the Cuban Adjustment Act of 1966 (Rusin et al., 2015). The Act grants permanent residency to any Cuban who makes it to the United States and stays for one year (1). Any Cuban who touches American soil can naturalize immediately, thereby circumventing the complex system of visas and country quotas. While other immigrants are routinely shipped home, Cubans are America's "special favorites" (Arteaga, 2007, p. 510). They receive an expedited entrance into the United States and hold an irrefutable claim to persecution in Cuba. While other asylum seekers need to prove intense political persecution, Cubans are assimilated into the United States simply because they are Cuban. The original Act reads as follows:

The status of any alien who is native or citizen of Cuba and who has been inspected and admitted or paroled into the United States subsequent to January 1, 1959, and has been physically present in the United States for at least one year, may be adjusted by the Attorney General to that of an alien lawfully admitted for permanent residence...The Provisions of the Act shall be applicable to the spouse and child of any alien described in this subsection, regardless of their citizenship and place of birth (510).

Therefore, Cubans do not fit into immigrant categories designated by the U.S. Congress. Arteaga describes the time-consuming process for non-Cubans: Once an immigrant is eligible for a category, he or she is issued a visa to enter the United States. If an alien enters the United States without a visa, he or she is subject to removal and are barred from reentering for ten years (511). Cubans, however, are exempt from this visa

process. Cuban nationals, as well as their children and spouses anywhere in the world, are welcomed, even fast-tracked into the pipeline for citizenship (Barrios, 2011, p. 4). They are granted permanent residency after one year in the United States. All other eligible immigrants must wait five years (511). Although Cuban privilege was modified through the 'wet foot dry foot' policy of the 1990s, Cubans' place within the American immigration system is an anomaly.

The current immigration legal system in America involves the complex relationship among the branches of the Department of Homeland Security. Immigration enforcement is controlled by the United States Citizenship & Immigration Services (USCIS), United States Immigration & Customs Enforcement (ICE), and Customs & Border Protection (CBP) (Schramek, 2015, p. 647). The branches work together to enforce, investigate, and deport unwanted aliens in the United States. ICE, for example, "receives an annual appropriation from Congress sufficient to remove a limited number of more than 10 million individuals estimated to unlawfully be in the United States" (648). In addition, CBP protects the physical borders of the United States. On a typical day in 2014, "CBP officers and agents admitted 963,121 at the nation's 329 land, air, and seaports, and apprehended or arrested 1,053 people at or between these ports of entry" (649). Great effort is exerted to protect the United States from foreign invaders. However, Cubans occupy their own special category.

Perhaps this favoritism is best illustrated with a poignant scenario: A vessel lands on Florida's shores in the late twentieth century with Caribbean migrants including Haitians, Dominicans, Cubans, and Jamaicans. All are fleeing poverty, dictatorships, political oppression, and lack of economic opportunity in their home countries. All risk their lives to

cross miles of ocean to a better life. They are the newest 'huddled masses yearning to breathe free.' Yet once in Miami, all are deported to their country of origin. All save the Cubans. The Cubans, like their fellow émigrés, lack the proper documentation and visas necessary for entrance into the United States. However, after one year, the Cubans will be issued 'green cards.' Other immigrants are facing equally, arguably worse conditions than Cubans, but Cubans are the chosen ones. This has been the puzzling case since 1966.

What is even more striking is to consider the long history of exclusionary immigration practices prior to 1966. America's xenophobic intentions solidified upon the genesis of American immigration policy. The Naturalization Act of 1790, the Alien & Sedition Acts of 1798, and the Chinese Exclusion Act exemplify the long history of limiting access to the United States. Due to the influx of immigrants at the turn of the twentieth century, the Emergency Quota Act was passed in 1921 and extended in 1924. The Cuban Adjustment Act, therefore, is the glaring exception to this long history of restrictive immigration.

Not surprisingly, much of the CAA literature revolves around Cold War implications. It is very easy to classify the CAA as a Cold War tactic and nothing more. The most commonly cited reasons for the CAA's passage are: to destabilize the Castro regime, to fight communism, to prevent Cubans from having to apply in a third party country, and to deal with the massive flow of Cuban migrants into the United States. These assumptions are grounded within a pragmatic realist perception of international politics. The logic becomes clear: Washington's response to the influx of Cuban migrants rested on the CAA as the main engine behind ideological warfare.



What complicates the puzzle further is the CAA's historical placement alongside the Immigration & Naturalization Act of 1965. The Act of 1965 eliminated the national origins quota system. Pressured by international concerns and standards, the United States' immigration system began to focus on skills and family reunification. At first glance, the CAA appears to be an extension of this mentality. Cubans in the 1960s possessed both the professional training and the transnational networks that potentially apply to the 1965 Act.

Nonetheless, a closer examination of the congressional hearings on the adjustment of Cuban status reveals a decidedly different constructivist mentality than in 1965. The Act of 1965 hinged on international norms and acceptance. As will be shown later, the racist image America projected abroad was no longer acceptable to the international community. The United States desired the admiration of newly created African and Asian countries in the post-World War II period. Therefore, the Act of 1965 solidified its position on the international arena. In contrast, the CAA did not concern affiliating the state with fluctuating global values. Instead, its passage focused on constructing an internal political identity. This identity would emphasize the maintenance of American demographics and values. The goal of the CAA was inward looking, in direct contrast to the outward concern of 1965.

The political implications of classical realism, the dominant theory of the Cold War, offer an introductory approach to understanding the CAA. From there, constructivism is offered as an alternative explanation. International relations scholars have overlooked the importance of national identity in examining the CAA. Even though all point toward the realist, Cold War sentiment, there is evidence to suggest the CAA played more of a constructivist role than a strategic realist one. While one cannot discredit the importance of

realist factors such as the Cuban Missile Crisis, the Bay of Pigs, and the looming threat of communism, the CAA plays more of a symbolic, constructivist role than a strategic one.

Due to its perceived similarities with the CAA, the Act of 1965 provides a model for a potential alternative to the realist view, as well as a bridge to understand the analysis of the CAA. The 1965 Act was a clear break from exclusionary American immigration policies. Its passage altered the external image of the United States. In the end, however, the Act of 1965 does not explain the passage of the CAA. As will be explored in the third chapter, an overview of the Congressional hearings on the CAA reveals an overlooked component. In August of 1966, a Congressional subcommittee debated the issue of Cuban migration to the United States. Due to the Freedom Flights coordinated with Cuba, 4,000 Cubans were landing in America on a monthly basis. Something needed to be done – and fast. The need for a solution is predicated on swift, pragmatic action.

As the conversation of the subcommittee developed, however, there was a palpable shift from expediency to constructivism. The conversation quickly turned to the quality of Cuban migrants, more so than ‘fighting communism’. While it was an unmistakable goal, the hearings fixated on the number of Cuban professionals entering the United States. These early waves of Cuban migrants were mostly white, upper class professionals who found instant political disagreement with the Castro regime. These Cuban migrants were perceived as similar to Americans. As shown in the debates, they upheld the same standards of hygiene, work ethic, and racial composition as Americans. They would be perfect additions to the American social makeup and workforce. They were ‘just like us.’

Therefore, the CAA centered on crafting a cohesive American national identity. While race and class played a decisive role, it was about the way in which certain groups of

Cubans upheld the American ideology. The 'just like us' mentality was more important than the issues of the Cold War and tactics to undermine worldwide communism. Even though the Cold War played a role in its creation, the CAA's longevity beyond the Cold War suggests an alternative motivation. The Migration Accords of 1994 reconfirm the notion that the CAA centered on the maintenance of an American identity and safeguarding it for future generations. As will be shown in Chapter Four, the Mariel Boatlift of 1980 negatively shifted American perception of Cuban migrants, ultimately cemented by the infamous 'wet foot dry foot' policy of 1994. As the social and racial composition of Cuban migrants changed, American policy changed accordingly.

In light of the recent changes in Cuba policy, the conclusion will explore the 21<sup>st</sup> century challenges regarding the Cuban Adjustment Act, making this investigation a significant one. U.S. President Obama's announcement in December 2014 of his intention to normalize relations with Cuba was unexpected. There was a flurry of changes including Obama's meeting with Raúl Castro (Davis et al., 2015), Cuba's removal from the list of state sponsors terrorists (Davis, 2015), and the opening of embassies in Havana and Washington, D.C. (Oppmann, 2015). Since Obama's announcement, the U.S. Coast Guard intercepted 117% more Cubans attempting to land in the United States than one year ago (Lamothe, 2015). Many Cubans fear their time in the sun has come to an end.

Now, with the advent of possible change upon us, we must question why the CAA was passed in 1966. Neither realism nor the constructivism of 1965 can fully explain the CAA. In this way, this work will be a supplemental to the existing literature. While one cannot discredit these alternative findings, the CAA's passage is not a seriously considered topic. Many scholars reference the passage briefly before either justifying or criticizing the

CAA. Now, we must understand why Congress passed such an astonishing law in 1966. In order to understand the Cuba we now confront today, we must understand the Cuban migration situation we have fostered for decades.

Chapter One will outline the standard realist explanations for the CAA's passage in 1966. All of these justifications hinge on classical realism implications. Chapter Two introduces the constructivist debate, a foundation on which the main argument rests. The Immigration & Naturalization Act of 1965, while similar in constructivist underpinnings to the CAA, held motives uncharacteristic of the CAA. The third chapter directly engages with the CAA through the congressional hearings regarding the status of Cuban refugees. Finally, there are serious contemporary implications for the CAA in Chapter Four. With the immigration changes in 1994 and the recent barrage of changes to Cuba policy, the CAA becomes critical to understanding the complex Cuban-American relationship.

## Chapter One - *Realism as the Overarching Foundation*

All of the cited reasons for the CAA's passage follow the classical realism understanding of international relations. Classical realism became the dominant theoretical foundation in the post-World War II period, when scholars sought to explain the new post-war world order (Lieber, 2007, p. 163). Choices made by states during this period routinely followed the realist model of security maximization and balance of power. The failed Bay of Pigs invasion, the Cuban Missile Crisis, the communist threat from the Soviet Union, and mass migrations of Cubans undoubtedly informed Cuba policy. Since the passage of the CAA in 1966, these reasons have been repeated throughout the literature and offer a compelling yet insufficient approach to international politics. This brief introduction to realism is offered as a counterweight to constructivism in Chapter Two.

In 1948, Hans Morgenthau published *Politics Among Nations* and introduced the concept of realism to the world. Realism's purpose is to bring "order and meaning to a mass of phenomena that without it would remain disconnected and intelligible" (Morgenthau et al., 1948, p. 1). Realism appeared to make sense logically within the context of the Cold War. The main points are articulated in Morgenthau's six principles of political realism. "Political realism believes that politics, like society in general, is governed by objective laws that have their roots in human nature" (2). This does not mean, however, that politics are shaped by culture or norms. Rather, the operation of these laws is "impervious to our preferences and men will challenge them only as the risk of failure" (2). In order to improve society, one must examine the political act and analyze the foreseeable consequences. While the examination of facts is inadequate and "we must approach political reality with a kind of rational outline," we must not view these laws by opinion or

be swayed by prejudice (2). We must hold an unbiased view of the political reality as we continue to view the world in terms of balance of power.

Secondly, in classical realism, interests are defined in terms of power. "This concept provides the link between reason trying to understand international politics and the facts to be understood" (3). In order to bring systematic order to the political sphere, one must ignore factors such as culture, religion, and other factors that blur the correct outlook of the political reality. In this way, "a realist theory of international politics will guard against two popular fallacies: the concern with motives and the concern with ideological preferences" (3,4). Therefore, rationality is valued above all else. While "not all foreign policies have always followed so rational, objective, unemotional a course," the theory still stressed the importance of rationality in political reality (5).

Third, classical realism assumes that interest defined as power is "an objective category which is universally valid" (8). While this does not assume this meaning cannot change, interests within politics are unaffected by the changes of time and place. Morgenthau cited leaders throughout history, such as George Washington, in his assertion that state interests are the guiding principle of political theory (8). The fourth principle of political realism stated, "political realism is aware of the moral significance of political action" (10). In essence, realism understands there is a palpable tension between moral command and successful political action. One must judge these political actions by universal moral principles. However, realism holds prudence to "be the supreme virtue in politics" (10). One must weight the consequences of several political actions before making a rational decision.

However, while it is tempting to aspire to moral purposes of the universe, nations cannot know with certainty what is good and evil in the relations among nations. Therefore, moderation is advised in the creation of a political policy. This makes the difference between political realism and other schools of thought “profound” (11). In contrast to other political theories that incorporate many facets of political life, the classical realist remains totally loyal to the political sphere. While the political realist is not unaware of non-political factors, they are second-rate to the strictly political realm. Just as a lawyer thinks in terms of legal rules and the economist thinks in terms of wealth, the “political realist asks, ‘How this this policy affect the power of a nation?’” (11). Classical realism admits there are several facets to political life. However, one must isolate the segment of society in order to understand it fully. For example, the balance of power and interests of nations must be of considerable importance in understanding international relations.

In this way, classical realism provides a clear framework for understanding the CAA within the context of the Cold War. This Cold War mystique has captivated Americans for decades. The Cuban image revolves around plots to overthrow Castro and revert the country to Batista-era cooperation. This ‘pawns on a chess board’ image has been prominent throughout the literature. As the story goes, Castro used immigration as a political tool to relieve opposition and the United States responded to a crisis. In conclusion, the majority of the literature surrounding the Cuban Adjustment Act are embedded within a realist understanding of international relations that was embroiled within a system of action and reaction, power maximization, and security.

### *Common Wisdom Regarding the Cuban Adjustment Act*

In a survey of relevant political literature, both within the Cold War and beyond, the same justifications for the Cuban Adjustment Act of 1966 are cited. Regardless of political leanings, the literature reproduces the same reasons for its passage. The reiterated narrative has gripped American discourse on this topic. The Harvard Law Review Association succinctly summarized these points:

1. Congress sought to advance Cold War objectives by destabilizing a communist dictatorship that posed a threat to American national security;
2. To create a safe haven in the United States, with as few administrative hurdles as possible, for Cuban refugees fleeing the island for political reasons;
3. To prevent Cuban refugees in the United States from having to leave the country to apply for permanent residency;
4. And to create an expeditious method for Cuban refugees to join the American workforce (“The Cuban Adjustment Act of 1966,” 2001, p. 908).

American national security was a major source of unease within the Cold War context. It shaped America’s behavior at home and abroad. Cuba in particular underscores this point. Castro’s revolutionary success was held in high regard throughout Latin America. The United States began to fear Cuba would undermine the United States’ sphere of influence (908). In the 1960s, Cuba sought to export its leftist revolution. Beginning in the 1960s, Cuba became heavily involved in supporting communist insurgencies and independence movements in countries around the globe, most famously in Angola and other African nations (908). In addition, Ernesto Che Guevara, Castro’s revolutionary companion, traveled to Bolivia in the mid-1960s to lead guerrilla warfare. He was machine-



gunned to death by the Bolivian army with the assistance and blessing of the American government, only one year after the passage of the CAA (de Onis, 1967, p. 30). America's concern over the reach of Cuban communism in Latin America ignited a desire to contain communism within America's sphere of influence.

In addition to regional supremacy, the United States desired to keep economic interests flourishing as well. "Between 1959 and 1961, the revolutionary government in Cuba nationalized almost all U.S.-owned assets on the island" (Ashby, 2009, p. 101). Since American business controlled two-thirds of the Cuban economy, it was the largest uncompensated seizing of American property in history (101). Some of these assets were vacation homes and bank accounts of wealthy individuals. However, the original value of the confiscated property of \$1.8 billion, or nearly \$7 billion today, stemmed from sugar factories, oil refineries, and other American corporations such as Coca-Cola Co. (Neyfakh, 2014). The United States was haunted by the utter devastation of American economic links to Cuba. For decades, the United States and Cuba had co-existed as closely-knit trading partners and vacation destinations, at least in terms of government cooperation. To the American business community, this was the ultimate betrayal.

The strained relationship between the United States and Cuba was further emphasized by Cuba's geographical proximity to the United States. Cuba's location ninety miles from Florida's shores intensified concern over Soviet influence on the island. Cuba became an "invaluable asset to the Soviet Union" ("The Cuban Adjustment Act of 1966," 2001, p. 908). From Cuba, the Soviet Union was able to monitor American missile tests and the Soviet Union began to support Cuba with weapons, soldiers, and military supplies. President Kennedy held, "We must let Mr. Khrushchev know that we are permitting no

expansion of his foothold in our hemisphere – and that the Organization of American States will be given real strength and stature to resist any further communist penetration by whatever means necessary” (909). The United States vowed to halt communist expansion.

Coercive actions, including the CAA, upheld this promise to block the spread of communism. “Desperate to prevent the spread of communism throughout the Western Hemisphere, the United States government developed a policy to aid anti-Castro guerilla forces” (Reynolds, 2013, p. 1016). In 1961, the United States launched the Bay of Pigs invasion. It was what historian Jim Rasenberger called a “brilliant disaster” (Will, 2015). The invasion brigade consisted of a mere 1,400 members. However, “Castro’s 32,000-man army was supplemented by 200,000 to 300,000 militia members. U.S. intelligence was ignorant of everything from Castro’s capabilities to Cuba’s geography to Cubans’ psychology” (1). It was a win for worldwide communism.

The CAA offered a subversive alternative to military force. If Cuba was depleted of vital human capital in doctors, engineers, and teachers, the Castro regime could not survive. Fidel Castro complained of the brain drain in the late 1960s and 1970s, as beneficial citizens fled the country (Reynolds, 2013, p. 909). In addition, as the Castro regime began to remove children from their families as part of its literacy campaign, more than 14,000 Cuban children were sent to the United States for safety through Operation Peter Pan (Allen, 2011). The now famous phrase ‘voting with your feet’ came to embody the Cuban refugee experience. As U.S. Representative Walter Rudd claimed, “Every refugee who comes out of Cuba is a vote for our society and vote against their society” (de los Angeles Torres, 1999, p. 68). Every refugee fundamentally embraced communism’s failures, a useful strategy in the United States’ Cold War public relations battle (Barrios, 2011, p. 5).

The notion of creating a safe haven is poignant within the discussion of refugees. Once it was determined that Cuban refugees were fleeing for political reasons, it was a humanitarian issue. While maintaining a stringent anti-Castro position, “the U.S. desired to play a full and sympathetic role as a country of asylum for refugees from communism” (Artega, 2007, p. 514). The Catholic Church in the United States facilitated Operation Peter Pan, the program to airlift Cuban children from Soviet indoctrination. Through the Cuban Adjustment Act and subsequent programs through the Catholic Church and other religious groups, the U.S. ‘fought’ communism through immigration policy.

This goal required the hasty reform of existing immigration policy. When the United States broke diplomatic relations with Cuba in 1961, the American Embassy in Havana closed. Therefore, the “only means for a Cuban refugee in the U.S. to obtain a permanent visa was by leaving the U.S. and applying at an American consulate abroad, usually in Canada or Mexico” (513). However, since the Cuban revolution stripped Cubans of their individual wealth, many could not afford the additional trip abroad. Therefore, the Cuban Adjustment Act was intended to alleviate this economic burden. The United States desired to make the immigration process as smooth as possible. The insurmountable barriers for immigration became irrelevant for Cubans.

The logistical component is repeated countless times within the literature. “The Congress intended to ease the administrative burdens on foreign-based United States consulates and Cuban immigrants” (Zeller, 2012, p. 236). The CAA saved approximately 164,000 Cubans the expense and hardship of leaving the country to apply for permanent residency (“Cuban Adjustment Act of 1966,” 2001, p. 913). In other words, the CAA was designed to “improve the orderliness” of the immigration process for refugees of

communism (Barrios, 2011, p. 5). More than 75,000 Cubans had chosen the “awkward procedure” of applying in a third-party country (Estevez, 2003, p. 1278). The consular offices abroad were overwhelmed with the sheer volume of applications. In turn, in order to hasten the resettlement of the Cuban-American population, the U.S. Congress passed the CAA (Schramek, 2015, p. 650).

Admittedly, the amount of Cuban migrants in the early 1960s was substantial. When Castro relaxed exit procedures in September 1965, it unleashed a wave of chaos onto the United States. Castro relieved his country of opposition and solidified his position in power. “We are not going to force people to like our revolution and our socialism,” Castro said, “not do we have any reason to do so” (“Anyone can leave Cuba,” 1965). Within months of Castro’s announcement, thousands of Cubans were taking to the seas. The “number of Cubans residing in the United States doubled from 211,000 to 411,000” (Reynolds, 2013, p. 1017). By November 1965, the United States and Cuba agreed upon an airlift to remove refugees from Cuba. The Freedom Flights brought 300,000 Cubans to Miami in the largest airborne refugee operation in American history (1017).

The vast amount of Cuban refugees is consistently cited as the main impetus for the passage of the CAA. “The CAA was enacted in 1966 in response to the mass migration that occurred after the Cuban Revolution in 1959, and after repeated attempts by the U.S. government to overthrow the Castro regime failed” (Schramek, 2015, p. 649). Similarly, “the United States passed the CAA of 1966 in response to a flood of Cuban immigrants that arrived in the United States in 1965” (Zeller, 2012, p. 236). The United States needed to respond to the crisis on its shores.

Without proper documentation and residency, the vast majority of these refugees could not seek employment in the United States. By the CAA's passage, 4,000 Cubans were arriving monthly in the United States, and the issue of employment became a growing dilemma (Adjustment of Status for Cuban Refugees, 1966, p. 18, 34). However, many of the Cuban refugees were members of Cuba's cultural and economic elite. "They were very well-educated and highly skilled workers whom the U.S. government viewed as an asset to the American labor market" ("The Cuban Adjustment Act of 1966," 2001, p. 911). From 1959 until the conclusion of the Freedom Flights in 1973, Cuban migrants to the United States were 'upper crust' in terms of wealth and status. Although Cuban migration to the United States existed prior to 1959, the first wave of migrants in 1959 were comprised of "industrialists, landowners, and others directly affected by Castro's immediate alterations to the political structure in Cuba" (Estevez, 2003, p. 1274). The second wave of migration, from 1962 to 1965, was comprised mostly of family reunification, small business owners, and professionals such as doctors and lawyers (1274). The CAA allowed Cuban professionals to smoothly assimilate into the American workforce.

However, as will be shown in the next chapter, classical realism implications do not fully explain the CAA. A constructivist approach supplements the constricted approach to Cold War politics.

## Chapter Two – The Immigration & Naturalization Act of 1965

### *Constructivism as a theoretical framework*

Constructivism offers an alternative framework for understanding the CAA. In 1992, Alexander Wendt published the widely circulated work, *Anarchy is what States Make of it: The Social Construction of Power Politics* and changed the scope of international relations. He introduced the concept of constructivism less than five years after the end of the Cold War. Unsatisfied with the debate between realists and liberals, Wendt sought to explain international relations in a new light. In contrast to existing theories, Wendt saw a gap in social explanations and sought to explain those missing pieces. He wrote in 1992, “the debate today is more concerned with the extent to which state actions is influenced by “structure” (anarchy and the distribution of power) versus “process” (interaction and learning) and institutions” (Wendt, 1992, p. 391). As opposed to existing theories, Wendt saw human agency at the forefront of international politics. In addition, Wendt wrote, “In contrast to the “economic” theorizing that dominates mainstream systemic international relations scholarship, this involved a “sociological social psychological” form of systemic theory in which identities and interests are the dependent variable” (394). What is overlooked in the dominant realist theory, Wendt argued, was the essential piece of state identity.

Therefore, constructivism seeks to explain the world through social implications rather than material ones. Military power and trade relations, for example, are important for their social implications rather than their objective meanings. Constructivists are interested in how knowledgeable practices constitute subjects. “They share a cognitive,

intersubjective conceptions of process in which identities and interests are endogenous to interaction, rather than a rationalist-behavioral one in which they are exogenous” (394). Therefore, state actions and state’s perceptions of those actions are interpreted through a social lens.

The clearest explanation of this concept can be seen through Wendt’s explanation of ‘friends’ and ‘enemies’. In contrast to realist thought, for example, which emphasizes states act in an anarchic system, Wendt claims states act through human agency. “States act differently toward enemies than they do towards friends,” he wrote, “because enemies are threatening and friends are not” (397). In other words, actions are perceived differently by different states. For example, Canada is unlikely to interpret American military power as threatening. Many reasons form this principle. Canada and the United States share similar values, have been peaceful in the past, and are of comparable geographic size. Cuba, on the other hand, interprets American military strength as threatening. This is not only due to Cuba’s small size but also because of drastic ideological differences and tumultuous history. Similarly, nuclear power in Western Europe would not frighten the United States as much as nuclear power in China or North Korea. However, if values or norms changed, the world order and fear might change as well. States are constantly evolving.

While an argument can be made for the unstable nature of changing social norms, Wendt sees culture as a self-fulfilling prophecy. “Given cause to interact in some situation, actors need to define the situation before they can choose a course of action,” Wendt states (Wendt, 1999, p. 186). The parameters are based on two considerations: their own interests (which reflect beliefs) and what they expect others to do based on their beliefs. “If I am driving my car in a culture, which, unbeknownst to me, ‘Red’ means ‘Go’ and ‘Green’

means 'Stop,' then at an intersection another driver and I will anticipate each other's actions incorrectly and probably get into an accident" (187). However, if both drivers adhered to accepted standards, no accident would ensue. "The mechanism here is reinforcement" (Wendt, 1992, p. 405). If interactions reward and discourage certain beliefs, "reciprocal typifications" will create stable conceptions of how people believe they should act (405).

It is in this way that 'identities' are formed. According to Wendt, identities are inherently rational. They are "relatively stable, role-specific understandings and expectations about self" (397). Identities shape both the state and the conceptions of the other. If during the Cold War the United States and the Soviet Union decided they were no longer enemies, "the Cold War would be over" (397). Similarly, if we 'forgot' about universities, the power and role of professors and students would cease to exist (397). Identities therefore become the basis of interest. State actors do not carry a portfolio of interests (398). Rather, they change their interests in the process of defining situations. States are constantly in the process of change as social norms evolve.

Wendt further emphasized his points in his 1999 book, *Social Theory of International Politics*. Wendt continues to draw on a variety of social theories, such as critical theory, postmodernism, feminist theory, and historical institutionalism. The two basic tenants of constructivism are: 1) that the structures of human association are determined primarily by shared ideas rather than material forces, and 2) that the identities and interests of purposive actors are constructed by these shared ideas rather than given by nature (Wendt, 1999, p. 1). This argument emphasizes the authority of social structures,



as opposed to reducing social structures to individuals. Therefore, Wendt's work concerns the social implications of international politics.

In this way, he stands in contrast to IR theorists such as Kenneth Waltz, whose concept of three 'images' of the man, the state, and the system seek to explain where the major causes of war are found (Suganami, 2009, p. 374). The three images, defined in terms of their relative significance, do not define what causes war, instead pointing towards where answers to international relations puzzles are found (374). Like all international relations theorists, both Wendt and Waltz want to understand what constitutes international structures. In Wendt's view, it is "exactly what Waltz says its not: a social rather than material phenomenon" (Wendt, 1999, p. 20). This does not mean, however, that material power and interests that realists highlight are unimportant. Rather, their meaning depends on the social structure of the system.

This difference is the main distinction between Wendt and other IR scholars. Realism, the dominant IR theory throughout the Cold War, held a variety of principles. Wendt highlighted three principles of realism. 1) The world is independent of the mind and language of individual observers; 2) mature scientific theories typically refer to this world, and 3) even when it is not observable (51). However, these principles offered by Michael Devitt, Joseph Rouse, and Geoffrey Hellman "say nothing about the nature or structure of society" (51). In other words, Wendt has a serious problem with realist implications. According to Wendt, realism is a philosophy of science, not a theory of society (51). It may be easy to conceptualize state with perfect knowledge and power interests, but it says nothing about why states behave the way they do or what they are made of. Wendt made the scathing remark, "We should not expect philosophers of science to explain world

politics” (91). Clearly there is a better way of understanding world politics than realists provide.

However, Wendt converges with realism at one unexpected point. “Realists of all stripes believe that states do what they do because it is in their national interest, and that the national interest is self-regarding with respect to security,” he states. However, “as with power, these cannot be uniquely realist claims, since then almost every IR scholar would be a realist. No one denies that states act on the basis of perceived interests” (113). Rather, interests constitute the meaning of power, and interests are constituted by ideas. Wendt does not argue that ideas are more important than power. Instead, power and interest explanations presuppose state interests and make sweeping IR claims.

While contrary to dominant IR theory, the concept of constructivism was not new by the late twentieth century. According to Wendt, a constructivist world view underlies the classical international theories of “Grotius, Kant, and Hegel, and was briefly dominant in IR between the world wars, in the form of what IR scholars now, often disparagingly, call ‘idealism’” (3). However, constructivism did not become a popular IR theory until after the Cold War. It was revived after it failed to explain the end of a massive political phenomenon. “The end of the Cold War caught scholars of all sides off guard but left orthodoxies particularly exposed,” (4). Therefore, questions of ideology and culture came to dominate post-Cold War understanding. While Wendt’s theories do not replace or negate realist theories, they shed light on an overlooked element of IR theory.

Martha Finnemore, like Wendt, values symbolic meaning over material capabilities. Finnemore’s book, published in 1996, demonstrated empirically that social norms influence behavior (Finnemore, 1996, p. 6). The Cold War produced realist-heavy work.

The world became obsessed with rational choice and strategy as guides to policy. All political actions were framed around power, security, and wealth. These scholars seek to explain, as Kenneth Waltz said, “a small number of big and important things” (1). While she does not test theories against each other, Finnemore highlights the importance of norms within international relations, however subconscious they may seem.

In this way, Finnemore engages with the realist and constructivist debate of whether actors or social structures are given. Are actors given and social structures result from their interactions or are social structures given and actors are defined within the social system? Finnemore offers a compelling argument for the latter. States are constantly evolving (34). “There is no set of ideal political and social arrangements toward which we are all converging,” she states. “There is no stable equilibrium, no end of history. All good things do not and probably cannot go together” (135). States are embedded in international social relations that shape the world. Existing theories rest on the assumption that states know what they want. Rather, interests, therefore values, can change. States can produce both positive and negative social norms. “Social norms can promote slavery, racism, and ethnic cleansing as well as acts of charity and kindness,” Finnemore stated (128). Therefore, social norms do not adhere to universal standards. Rather, they fluctuate within the given state.

Finnemore offers three examples that prove her claim states are constantly evolving to accommodate changing social norms. First, states can be reorganized through international organizations. The adoption of science policy in the United States underscores this point. The United Nations Education, Scientific, and Cultural Organization (UNESCO) “taught states the value and utility of science policy organizations” in the 1950s

(36). To realists, science policy was developed due to the threat of the Soviet Union, but UNESCO saw science and culture as transnational and non-governmental. It was a reflection of 1940s beliefs that ideas were a unifying force in the world. In essence, education, and culture could “weave a web to draw a divided world together” (51). Although UNESCO lessened in importance throughout the 1950s, it still contains important theoretical implications. Variations in domestic culture as well as international coercion have a great deal of influence on a state.

Variations in warfare exemplify the importance of changing norms. While realist theorists tend to view war as a Hobbesian state of nature, the rules are constantly changing (69). “War is a highly regulated social institution whose rules have changed over time,” Finnemore argued (69). The Geneva Convention and the development of the Red Cross changed human conceptions of how war should be conducted. Both cases were propelled by humanitarianism as a “profession of faith and a moral code” (83). “The discussions surrounding the Geneva Convention were about duties, responsibilities, identity, and appropriateness” (87). In essence, the international community desired to uphold certain standards of conduct to protect prisoners of war and injured soldiers on the battlefield. These responsibilities are created through an understanding of social structures. Therefore, one cannot understand the adoption of these policies without understanding the social fabric that creates these changes.

Finnemore’s final example concerns the rise of poverty as an element of development. Prior to World War II, poverty was the concern of private or religious groups. By the mid-1970s, however, “poverty moved from being a condition of states to a condition of people” (90). According to Finnemore, this was not due to a shift in domestic political

changes. Rather, it occurred under a process of change on the international level. Upon the creation of the World Bank, the Atlantic Charter, and the UN Resolution of 1966, states needed to provide basic human needs. No longer were states merely engines of growth on the way to success. States needed to combat poverty as they developed. "This is not to say that no one cared about poverty before 1968" (97). However, poverty did not become an explicit goal of states until after 1968. Therefore, the impetus for change came from international pressure. While realists deny the existence of international law, Finnemore correctly sees the connection between pressure and results.

In these three examples, Finnemore demonstrated that social norms construct the world around us. The normative effects that she explores cannot be explained using traditional theories of IR. Instead, norms, she argued, create the interests of a state. The Geneva Convention, for example, did not provide any immediate strategic advantage in war. States adopted them, according to Finnemore, "not as means to ends, but as ends in themselves – as affirmations of value about the kind of world people wanted and the kind of behavior that was acceptable" (129). The world is constructed according to values and perceptions of values. States are embedded in an international social fabric that extends from local norms to international norms.

Foreign policy in relation to national identity is not new. Erik Ringmar's concept of "mutually assured recognition" to describe the Cold War argues that a state's global position is entirely determined by military capabilities. However, "states not only pursue their 'national interests,' but also – and before anything else – they seek to establish identities for themselves" (Ringmar, 2014, p. 116). In a tangible example, since the end of World War II, IR scholars have been fascinated by Adolf Hitler's stunning rise to power.

“Few grand strategies have been more scrutinized than Britain’s decision to appease Nazi Germany,” Goddard stated (Goddard, 2015, p. 95). Although Britain abandoned appeasement post-Munich, Britain embraced the German state in 1938. Although classical realism became prominent in the post-World War II period as scholars sought to understand Nazi Germany’s lust for power (Lieber, 2007, p. 163), Goddard focuses on a narrow moment in time to explain the international community’s failure to respond until it was almost too late.

Despite the looming threat of Germany, Britain engaged in a series of negotiations with Germany in order to prevent violence. Germany withdrew from the League of Nations in 1933 and by 1935 violated the terms of the Treaty of Versailles. However, Britain “strove to satisfy Germany’s territorial demands” (Goddard, 2015, p. 99). In 1936, British officials suggested Germany should be allowed to annex Austria. In addition, the British considered returning colonies to Germany stripped by the Treaty of Versailles. Within the British government, it was believed these peaceful negotiations would bring “peace in our time” (99). By March 1939, however, Britain’s appeasement had abruptly turned to a policy of confrontation. British rearmament would be accelerated and expanded.

According to Goddard, this incredible shift in policy stems from changes in rhetoric. Until the Munich crisis, “Adolf Hitler justified Germany’s aims with appeals to collective security, equality, and self-determination” (98). These were collective goals within Europe as established in the Treaty of Versailles. While Britain understood Germany to be a revisionist state, it was unclear how far Hitler would take his goals. While it is easy to criticize policy in hindsight, Britain did not fight Germany due to Hitler’s tame rhetorical language. In other words, “it resonated with Germany’s self-identity” (126). Since Hitler’s

rhetoric aligned with British values, Britain feared fighting Germany would delegitimize their identity as a democratic state.

After Munich, however, Hitler's rhetorical changes signaled to Britain that changes were necessary. Hitler did not change his demands in 1939. He did not threaten to invade; he did not change his policies. Rather, it was the change in Hitler's rhetorical demands that changed Germany's perception. When Germany's identity matched Britain's, appeasement was chosen to avoid conflict. When the identities shifted in 1939, policy changed accordingly. Therefore, the role of ideas and the significance of self-perception are crucial in understanding international relations.

### *The Immigration & Naturalization Act of 1965*

One interpretation of the CAA aligns the CAA in terms of the 1965 redirection of U.S. immigration policy. They were passed back to back, and the CAA appears to be an extension of the 1965 sentiment. While this is a constructivist argument, the CAA differs from the rhetoric of the Immigration Act of 1965. While the Act of 1965 eliminated the quota system and established a 'civil rights' identity, the CAA facilitated Cuban migration to create a political identity in which American demographics are preserved. The two Acts function in a constructivist sense. The Act of 1965 conforms to the American identity of inclusion within a long history of exclusion. However, the Act of 1965 conforms to international standards instead of internal interests.

Prior to 1965, immigration policy centered on exclusionary immigration practices. Roger Daniels' book, *Not Like Us: Immigrants and Minorities in America, 1890-1924* illustrates this point. More than twenty million immigrants came to America from 1890 to 1924 and faced extreme nativism in the United States (Daniels, 1997, p. viii). Nativism, the opposition to all or certain groups of immigrants, was not new in the 1890s (79). Nativism had been present in America "since at least the mid-eighteenth century when Benjamin Franklin fulminated against Germans and the German language" (iv). Two acts underscore this point. The Naturalization Act of 1790 allowed naturalization to "free white persons," the intent being to deny citizenship to African Americans or other indentured servants (9). The Alien & Sedition Acts of 1798 allowed the president to deport any immigrants considered "dangerous to the peace and security of the United States" (Chiesa, 2008, p. 286). This was merely the beginning of America's contradictory immigration practices.



While nativism is not a unique American phenomenon, it directly clashes with the American identity of inclusion. For a country founded on principles of acceptance, the history is striking in its legislative choices. For example, the Chinese Exclusion Act of 1882 legalized racial discrimination for the first time. Between 1849 and 1882, more than 250,000 Chinese migrants arrived in the United States (Daniels, 1997, p. 5). The Chinese diaspora fueled the construction of railroads in the United States and Canada. By the mid-1800's, however, a deep anti-Chinese sentiment spread from the American West to the whole nation. According to Daniels, the advent of the term 'cheap Chinese labor' took on a thoroughly racist character (7). Caleb Crashing, the American commissioner to China in the 1840's, voiced opinions that exemplified this growing racism. He stated:

We belong to the excellent white race, the consummate impersonation of intellect in man and loveliness in woman, whose power and privilege it is, wherever they may go...to Christianize and civilize, to command to and to obeyed, to conquer and to reign. I admit to an equality with me...the white man – my blood and race, whether he be a Saxon of England, or the Celtic of Ireland. But I do not admit as my equals either the red man of America, or the yellow man of Asia or the black man of Africa (7-8).

This sentiment was the beginning of a decade-long struggle to end Chinese migration to the United States. It took from 1870-1882 of sustained anti-Chinese agitation before “the desired legislation was passed and enacted” (11). The Chinese Exclusion Act enacted a ten-year ban on Chinese immigration, extended for another ten years in 1892 and made permanent in 1902. All of this was done to preserve American demographics, or else, as historian Selig Perlman wrote in the late 1800s, “the entire country would have been

overrun with Mongolian labor, and the labor movement might have become a conflict of races instead of one of classes” (14-15).

In this way, the Chinese Exclusion Act was a turning point in American politics. According to Daniels, not one individual had been deported under the Alien & Sedition Acts (17). The Chinese Act ended the ‘golden door’ of American freedom (17). In contrast with virtually unrestricted immigration in prior years, America began the gradual process of closing its doors. Despite the placement of the Statue of Liberty in New York Harbor in 1892, Emma Lazarus’ famous text carried little weight in the coming decades. The sentiment of “give me your tired, your poor, your huddled masses yearning to breathe free” seemed like a far cry from the proceeding pieces of legislation (Rothstein, 2012).

As the United States grew exponentially in the Industrial Revolution, immigration became a national interest (Daniels, 1997, p. 23). More than five million immigrants flooded into the United States in the 1880s, and the depression of the 1890s raised fears about immigrant competition for jobs (39). Although “two-thirds of the immigrants from the 1880s were from familiar regions of western Europe, more than one in six came from southern or eastern Europe and seemed particularly alien to many Americans” (39). The Emergency Quota Act of 1921, the second turning point in American immigration, limited immigrants to 3% of any nationality present in the United States as recorded in the 1910 census (Hutchinson, 1949, p. 16). The Immigration Act of 1924 ultimately lowered the quota to 2% of any nationality present in the United States based on the 1890 census (17), representing “progressively higher standards of admissibility” (16).

Nativists of all sorts rejoiced at the passage of the 1924 Act, the legislative culmination of a decades-long dream. U.S. President Calvin Coolidge, who signed the Act

into law, was a long standing nativist himself. In February 1921, while seated as U.S. Vice President, Coolidge penned, *Whose Country is This?*, in which he not only saw the immigration boom as an assault on American values, but “supported the notion that intermarriage between Nordics and other groups produced deteriorated offspring” (Daniels, 1997, p. 139). Despite the insulting rhetoric, these reforms conducted in the wake of the early twentieth century immigration boom were seen as fair, even scientific. The Act called for a scientific study of the origins of American people, which would provide a system of quota numbers for each country (139). The Act explicitly excluded Asians, slave immigrants, and American aborigines, and a quota system was developed for each country (139). The new quota system produced significant results. The quota for the United Kingdom rose from 34,007 to 65,721 (140). Conversely, the quota for Ireland was lowered from 28,567 to 17,853 (140). This system was made permanent in 1929. “The law was just unbelievable in its clarity of racism,” said Stephen Klineberg. “It declared that Northern Europeans are a superior subspecies of the white race. The Nordics were superior to the Alpines, who in turn were superior to the Mediterraneans, and all of them were superior to the Jews and the Asians” (Ludden, 2006). For example, the 1929 quotas gave 51,227 of 150,000 visa slots to Germans, 100 to Greeks, and 0 to Chinese (FitzGerald et al., 2015). When the United States maintained an isolationist foreign policy in the pre-war era, its xenophobic restriction of immigrants seemed appropriate.

### *Immigration Post-World War II*

The 1920s were marked by exclusionary immigration practices informed by nativist impulses, but the next significant adjustment of immigration policy altered its direction. In

the post-World War II world, when the United States sought respect for its leadership policies, those exclusionary policies were no longer appropriate. By the early 1960s, racist U.S. policies became the target of international criticism focused on their perceived racism and as such they became a geopolitical issue set against the backdrop of the decolonization movements of that period. The post-WWII era created a host of newly independent countries. Between 1945 and 1960, forty new states in Asia and Africa achieved autonomy or independence from their European colonial rulers (1). “While countries of immigration could politically afford to ignore the reactions of colonized peoples and weak states prior to World War II,” FitzGerald wrote, “decolonialization and the formation of world institutions such as the United Nations gave the views of postcolonial governments significant influence” (1). Virtually overnight, the United Nations’ roster expanded and shifted the world order. International perceptions of American democracy as a way to maintain leadership became a critical factor in conducting foreign relations.

These newly created countries began to pressure the United States for immigration change. The International Convention on the Elimination of All Forms of Racial Discrimination pushed the United States to uphold its end of the bargain. The 1965 convention pointed a critical finger at American immigration policies. As a willing participant in the United Nations and the Universal Declaration of Human Rights, the United States had committed to upholding standards of fair practice. Article 2.1 of the International Convention on the Elimination of All Forms of Racial Discrimination stated:

States Parties condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all races, and, to this end: (a) Each

State Party undertakes to engage in no act or practice of racial discrimination against persons, groups of persons or institutions and to ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation ("Intl Conv. of Elim. Rac. Dis.," 1965).

The American image until 1965 had not upheld the standards the United States agreed upon. And more importantly, they had been contrary to America's vision as depicted in the Statue of Liberty as a nation of refuge.

Moreover, the racist quota system had been the target of domestic criticism for some time. World War II had reshaped American culture, politics, and foreign relations. "At least on an ideological level, the notion that the nation as a whole had a stake in racial equality was widespread" (Dudziak, 2000, p. 7). The image of turning away refugees from Hitler's concentration camps permeated the American consciousness. America's failure to act in that extreme situation became the basis of the immigration debate. Although thousands of Jews had been admitted to the United States from 1938-1941, the "U.S. did not pursue an organized and specific rescue policy for Jewish victims of Nazi Germany until early 1944" ("U.S. Policy towards Jewish Refugees," 2015). The economic depression in the United States, the high levels of anti-Semitism, and xenophobia prevented the United States from responding sooner.

By 1944, however, it was too late to make a difference. "Large numbers of Europeans tried to immigrate to the United States in the 1930s and 1940s, mainly Jews and other fleeing the Nazi regime" (Guskin & Wilson, 2007, p. 32). In May 1939, the German ocean liner St. Louis "sailed from Hamburg to Havana with 937 passengers, most of them Jews seeking asylum from the Nazis" (32-33). Many planned to wait in Cuba until the

United States processed their applications for visas. However, they had to “await their turns on the waiting list and then qualify for and obtain immigration visas before they may be admissible into the United States” (32). With few options left, the St. Louis returned to Europe in June of 1939. Even though European countries eventually negotiated visas for many of the refugees, they were remembered as the “ship of Jewish refugees nobody wanted” (Lanchin, 2014). It was an infinite embarrassment to the United States.

In 1948, the year the state of Israel was created, the powerful lobbying by the American Jewish community resulted in substantive changes. In 1948, “Congress passed legislation to admit 80,000 Jewish displaced persons to the United States” (“U.S. Policy Towards Jewish Refugees,” 2015). The attempt to rectify a mistake turned sour when President Truman called the law “flagrantly discriminatory against Jews” when agricultural labor was favored in the selection process (1). Congress amended the law in 1950, but by that time, “most of the Jewish DPs in Europe had gone to Israel” (1). Therefore, the United States failed on two occasions to rectify lapses in judgment. During one of the largest humanitarian crises in American history, the United States failed to respond in an effective way.

Moreover, the failure to react became part of a larger narrative of American identity. The world would not take American hegemony and democracy seriously if certain humanitarian actions were not taken. This notion to protect America’s image is highlighted through domestic pressures to change the racist quota system. Secretary of State Dean Rusk told a congressional hearing in 1964 regarding the 1965 immigration Act that “what other peoples think about us plays an important role in the achievement of our foreign policies” (FitzGerald et al., 2015). Since U.S. immigration policy affected most of the post-

WWII world, it had the potential for negative implications. Similarly, Attorney General Nicholas Katzenbach warned, “the national origins system creates an image of hypocrisy which can be exploited by those who seek to discredit our professions of democracy” (1). Following World War II, anything that undermined the image of American democracy was threatening to world peace (Dudziak, 2000, p. 27). The United States critically examined how the international community perceived its actions.

This fear filtered into public opinion as well. An August 1963 Harris poll found that 78% of white Americans believed racial discrimination in general in the United States harmed it abroad (FitzGerald et al., 2015). A Gallup poll in 1965 found broad support for changing the quota system (1). Pressure came from established immigrants within the United States as well. They began to question the racist quota system in the early 1960s and the Democratic Party took up their cause. U.S. President John F. Kennedy called the quota system “nearly intolerable” in his June 1963 speech to the American Committee on Italian Migration (Ludden, 2006). The power of immigrant lobbying reflect how internal sentiment had changed.

In June 1952, Congress passed the Immigration & Naturalization Act, also known as the McCarran-Walter Act. Of the ten salient features of the 1952 Act, the first stated, “the 1952 Act generally preserved previous immigration policies” (Bennett, 1966, p. 130). Although the Act created immigration preferences for skills and family reunification, the Senate Committee “stated, quite frankly, that the preferential treatment within the quotas should be considered primarily from the standpoint of the best interests of the United States” (129). The Act set up thirty-one classes of excludable aliens, many retained from the Act of 1917 (132). U.S. President Harry Truman vetoed the bill, citing its discriminatory

nature (127). However, the law received enough support in Congress to pass into law. “Although the Act was the most liberal immigration act of any country in the world,” its passage was met with serious racial discrimination concerns (132).

However, Truman’s apprehensions were not entirely grounded in racial terms. The Cold War introduced the debate of the role of immigration in national security and the containment of communism. In late 1952, U.S. President Harry Truman created the Commission on Immigration and Naturalization to hold hearings on immigration reform (FitzGerald et al., 2015). He directed the Commission “to study and evaluate the immigration and naturalization policies of the United States and to make recommendations for such legislative, administrative, or other action as in its opinion may be desirable in the interest of the economy, security, and responsibilities of this country” (President’s Commission on Immigration and Naturalization, 1953, xi). Immediately after Truman issued Executive Order No. 10392 in September 1952, the Commission began its work (3). The Commission met for fifteen hearings in eleven different cities from the Atlantic to the Pacific coasts (4).

Its final report, *Whom We Shall Welcome*, formed the outline of the Immigration Act of 1965. According to the report, immigration and nationality law in the United States should perform two functions. First, it should regulate the admission and naturalization of aliens in the best interests of the United States (xii). Second, and most importantly, “it should properly reflect the traditions and fundamental ideals of the American people in determining whom we shall welcome to a participation of all our rights and privileges” (xii). For the Commission, this rested on a fundamental American tradition. “America was founded upon the principle that all men are created equal, that differences of race, color,



religion, or national origin should not be used to deny equal treatment or equal opportunity” (xii). Americans had regarded such doctrines as self-evident since the Declaration of Independence (xii). Therefore, the Committee called for the “complete abolition of the national origins system” (117).

The contradictions within American immigration law greatly concerned the Commission. Since immigration law “indicates the degree of American humanitarianism” (xii), America’s commitment to asylum while systematically blocking asylum seekers was ironic at best (118). The national origins quota system was the product of fear – “fear of strange people, languages, and customs, and an unfounded belief that people of western and northern European and their descendants make better citizens than immigrants from other areas” (15). However, laws of fear make a mockery of world leadership. “It damages our position of leadership and destroys the esteem and good reputation the United States has earned in the past” (xiv). Racial discrimination creates an image of hypocrisy that undermines American leadership abroad.

In order to reform a misleading perception, the Act of 1965 was in part a response to domestic and international changes in social standards. Although it remains a contested issue, several key actors link the Civil Rights movement of the 1960s with the passage of the 1965 Act. Rep. Philip Burton (D-CA) told the U.S. House of Representatives in 1965, “Just as we sought to eliminate discrimination in our land through the Civil Rights Act, today we seek by phasing out the national origins quota system to eliminate discrimination in immigration to this nation composed of the descendants of immigrants” (FitzGerald et al., 2015). By the 1960s, racial discrimination became an international concern and American racism in particular would no longer be tolerated on the international arena.

Mary Dudziak's work, *Cold War Civil Rights: Race and the Image of American Democracy* links the development of civil rights as a crucial part of the Cold War struggle. From 1946 to the 1960s, presidents fretted about the impact of racial discrimination on U.S. prestige abroad (Dudziak, 2000, p. 6). Unequal treatment was seen as damaging to America's calls for democracy and undermined America's credibility. In spite of the repression of the Cold War era, "civil rights reform was in part a product of the Cold War" (12). If the United States had remained isolationist like in the pre-war era, racial discrimination would not have concerned the international community. However, as the United States worked to maintain a positive image abroad, racial discrimination and national origins quotas stood in striking opposition to America's foreign policy goals.

In the years following World War II, American racism became a worldwide headline, igniting the American desire to restructure the existing immigration process. Stories circulated worldwide of racist treatment of nonwhite foreign dignitaries in the United States (12,27,39). When the United States was trying to reshape the postwar world in its own image, racial discrimination tarnished American prominence. Since the United States desired influence and legitimacy in newly created African countries, the treatment of African Americans was detrimental to the cause. In 1963, the U.S. ambassador to the Congo reported that the Congolese prime minister had asked him to convey the following message to Washington: "that Congo along with most of Africa does not care about ideologies...but does care deeply about the human factor; the key to good U.S. relations therefore is how we continue to handle the race problem" (207). An obstacle to diplomacy rested partially on the shoulders of racial justice.

The personal narratives of African Americans fueled the flame for international criticism. In the early 1960s, the U.S. government took a keen interest in the international travel of certain African Americans (61). W.E.B. DuBois, the famous American author, was only one of many targeted for certain international activities (61). When he spoke against U.S. racism abroad, “the U.S. State Department confiscated his passport, effectively denying him access to an international audience” (62). His travel, along with many other race activists, was seen as contrary to the interests of the United States (62). To advance the racial cause at the expense of America’s foreign image was prohibited.

Moreover, the Soviet Union, the United States’ counterpart in the Cold War, used racial discrimination as the linchpin of ideological warfare. The Soviet Union began a propaganda war against the United States, citing the treatment of nonwhites as its main point of attack (12). “In a world divided by the Cold War, it was frightening to see the Soviet Union capitalize on America’s ‘Achilles Heel’” (37). The Soviet Union’s extensive focus on the Little Rock incident fueled anti-American sentiment (121). How could the United States be a credible deterrent to communism when their international image was hampered by racial injustice? In addition, the 1949 U.S. Supreme Court case, *Henderson v. United States*, the government cited the frequent international coverage of American discrimination. “Guided by the principles of the United Nations Charter,” a Soviet Union representative said, “the General Assembly must condemn the policy and practice of racial discrimination in the United States and any other countries of the American continent where such a policy was being exercised” (93). These attacks on American legitimacy held substantial weight in the courtroom. Therefore, the changes are a direct byproduct of the desire to secure global

acceptance. In this way, fighting racial discrimination at home became a powerful tool in fighting world communism.

In conclusion, the Act of 1965 was constructivist in the sense it aligned the United States with international standards and its own self-perception. While a combination of geopolitics and domestic lobbying lead to the Act, the final goal aimed to create a favorable international image for the United States. Thus, nations would be more receptive to America's claims and goals. The Act of 1965 offers a potential way of explaining the immigration liberalization of the CAA. After the U.S. eliminated quotas in 1965, the U.S. accepted Cubans as an extension in 1966. However, instead of adhering to international standards, the United States was committed to the quality of Cuban migrants to maintain American demographics and values. Those that are 'like us' are granted access to the United States.

## Chapter Three – The Cuban Adjustment Act of 1966

### *Issues with the Common Wisdom*

Since the passage of the Cuban Adjustment Act in 1966, the same reasons have been cited for its passage. The Harvard Law Review Association's 2001 article summarizes the regurgitated reasons. Four predominant reasons motivated Congress to enact the CAA: Congress sought to advance Cold War objectives by destabilizing a communist dictatorship that posed a threat to American national security; to create safe haven in the United States, with as few administrative hurdles as possible, for Cuban refugees fleeing the island for political reasons; to prevent Cuban refugees in the United States from having to leave the country to apply for permanent residency; and to create an expeditious method for Cuban refugees to join the American workforce ("The Cuban Adjustment Act of 1966," 2001, p. 908).

These explanations, while compelling, cannot fully explain the passage of the Cuban Adjustment Act. First, causing a brain drain in Cuba did not undermine the revolution, nor did it discourage communism worldwide. The United States could not have expected enough people to leave Cuba to expedite Castro's demise. In addition, if the issue was communism, why did the same exceptional treatment not apply to all refugees of communism? Cuba was only one of various communist countries in the 1960s. Not to be overlooked is the Soviet Union, the United States' main opponent in the Cold War. None of the refugees received the same treatment as Cubans. Therefore, there must be more to the equation.

Nor can the Cold War be the sole rationalization. The Cuban Adjustment Act has outlived far beyond the Cold War's final end in 1991. While the 'wet-foot, dry-foot' policy

restricted Cuban immigration in the 1990s, Cubans still possess the opportunity to reach dry land and become a permanent citizen. Due to the heightened amount of 'rafters' in the 1990s, the Clinton administration was under pressure to create an obstacle to Cuban migration. Any Cuban who is caught by the U.S. Coast Guard at sea is returned to Cuba. If a Cuban reaches dry land, the golden door is automatically unlocked. Despite the increased risk, Cubans have more of a chance than anyone else in the world. Although the Cuban-American lobby became powerful in the late twentieth century, Cuban exceptionalism cannot be explained by the Cold War. This idea will be explored in greater depth in the proceeding chapter.

In addition, the issue of humanitarian intervention in Cuba must be seen with a critical eye. The notion that the United States was merely responding to a humanitarian crisis is precarious. After diplomatic ties were broken with Cuba in 1961, Cuban refugees would have had to apply for residency to the United States from a third-party nation. The logistics of that maneuver for thousands of immigrants would have been costly in both time and money. However, immigrants who were facing worse regimes in the Caribbean were consistently deported. Haitians, for example, faced arguably worse conditions than Cubans. Francois Duvalier, otherwise known as 'Papa Doc,' ruled Haiti from 1957 to 1971 and famously declared himself President for Life in 1964. The years of dictatorship until his death are famously marked by torture, corruption, executions, and oppression ("The Death and Legacy of Papa Doc Duvalier," 2011). It has been estimated that more than 30,000 Haitians were assassinated by his regime, while countless thousands fled the island (1). This also questions the assumption that the CAA was responding to a geographically close

crisis. America ignored the humanitarian concerns of other countries and chose to focus exclusively on Cubans.

Several scholars focus on the unique timeline of events in order to explain the CAA. In late September 1965, Fidel Castro made several speeches in which he made participation in the revolution voluntary. There would be no penalty for Cubans wishing to flee the island. "We are not going to force people to like our revolution and our socialism," he stated, "nor do we have any reason to do so" ("Anyone can leave Cuba," 1965). On October 3, 1965, U.S. President Lyndon Johnson directly responded to Castro's claim. He stood at the base of the Statue of Liberty and announced "to the people of Cuba that those who seek refuge here in America will find it. The dedication of America to our tradition as an asylum for the oppressed is going to be upheld" (Arteaga, 2007, p. 512-513). Thus began the infamous Freedom Flights. The United States and Cuba coordinated an air bridge to bring Cuban refugees to the United States twice a day for more than ten years (512; Reynolds, 2013, p. 1017). Within one year, there were 300,000 Cubans in the United States (1017). The common wisdom remains that the United States responded to a massive humanitarian crisis that coincided with Castro's inflammatory speeches. However, as will be shown in the proceeding section, waves of Cuban migration predate Castro's communist takeover (Hughes, 1999, p. 51). Therefore, the special relationship between Cuba and the United States must be taken into account.

### *Conceptions of American political identity*

In order to understand the importance of national identity, one must understand the way in which America views its political and social identity. David Campbell's work, *Writing Security: United State Foreign Policy and the Politics of Identity*, expresses this point. "This argument proposes that United States foreign policy be understood as a political practice central to the constitution, production, and maintenance of American political identity" (Campbell, 1992, p. 8). Even in the Cold War, the threat from the Soviet Union was not military. George Kennan wrote in 1946, "it is not Russian military power that is threatening us; it is Russian political power" (25-26). Even though realist thought dominated the Cold War, the literature that followed the demise of the Soviet Union paints this interesting picture.

What emerges from this post-Cold War literature is a reflection of American identity. According to Campbell, no state possesses a stable identity that is free from internal tension (91). The United States is the perfect example of this notion "for there never has been a country called 'America,' nor people known as 'Americans' from whom a national identity is drawn" (91). "American" cannot be noted as an ethnic group, nor would America exist if those people did not choose to live in a particular place. Therefore, "America is peculiarly dependent on representational practices for its being" (91). Due to the absence of a stable national identity, the context of foreign and domestic policy has a special importance in defining this identity.

Campbell uses an historical account of 'the image of America' to determine the original identity of the nation. A significant aspect of the American identity, at least in Campbell's terms, rests on the Puritan legacy. America was known as the 'city on the hill';



'New Eden'; 'American Jerusalem' (107). In this context, the Puritans framed the "colonization as a fulfillment of scriptural prophecy" (107). This "mythical discourse" was folded into American foreign policy during the postwar period (108). Due to the varied events that shaped America, America is the prime example of identity within the state. "In many ways, America is an exemplification of this logic, for America is the imagined community par excellence" (131). Within America's relatively short history, it has confronted the dilemma of securing legitimacy and establishing authority on the worldwide stage countless times.

Lacking the historical lineage of Europe, for example, the ideals of the American Dream embody the political identity of the United States. Values of hard work, demographic homogeneity, and individual success are hallmarks of the American political tradition. The United States was founded on principles of acceptance and refuge. In 1783, George Washington expressed a sentiment that would come to ring on deaf ears. "The bosom of America is open to receive not only the Opulent and Respectable Stranger," he stated, "but the oppressed and persecuted of all Nations And Religions; whom we shall welcome to a participation of all our rights and privileges, if by decency and propriety of conduct they appear to merit the enjoyment" (LeMay, 2006, p. 18). Within these traditions, domestic policy can shape identity. For the Act of 1965, this was about 'showing off' to the world. For 1966, however, the creation of the self was central to domestic policy. This necessarily hinges on the tangible and abstract connection to Cuba.

### *American conception of Cuba*

The territory of Cuba was included in American discourse for decades, as Americans have long been infatuated with the idea of absorbing the island. As the United States expanded, Cuba – an island within sight of the United States – was always in the cards. In 1808, Jefferson sent officials to Cuba to see if Spain would cede Cuba to the United States. “I candidly confess that I ever looked upon Cuba as the most interesting addition that can be made to our system of states,” Jefferson wrote (Newlands, 1903, p. 30). Though Spain was uninterested in the transfer of power (30), the tiny nation continued to circulate within American political imagination.

In 1823, U.S. Secretary of States John Quincy Adams “configured geographical imagery around the idea of Cuba as a natural appendage of the United States” (Pérez, 2003, p. 30). The ‘ripe fruit theory’ concluded the interests of Cuba and the United States were formed by nature. Adams wrote, “there are laws of political as well as physical gravitation; and if an apple severed by its native tree cannot choose but fall to the ground, Cuba, forcibly disjoined from its own unnatural connection with Spain and incapable of self support, can gravitate only towards the North American Union which by the same law of nature, cannot cast her off its bosom” (30). Cuba would complete the natural transition from Spanish control to American statehood. The annexation of Cuba was an incredible opportunity at expansion.

As early as the 1820s, Cubans disgruntled with Spanish governance of the island began arriving in the United States (Leonard, 1999, p. 67). The political turmoil caused by the Tens Years War (1868-1878) caused the Cuban population in the United States to increase. By 1890, “Key West and Tampa, Florida earned the title of ‘Little Havanas’” (67).

From 1900 to Castro's revolution, "Cubans continued their sporadic migration to the United States" (68). An estimated 40,000 came in the decade after Cuban independence (68). Therefore, migration to the United States post-1959 was not a new phenomenon. Portions of the Cuban population had "been accustomed to exile over the centuries, a phenomenon nurtured by traditions of poverty, oppression, and political disagreement with whatever regime happened to be in power" (Gott, 2004, p. 211). Cuba's close geographical distance made the United States the natural destination for refugees.

Throughout the 19<sup>th</sup> century, "the Americans brooded over the anomaly that was Cuba: imagined as within sight, but seen as beyond reach; vital to the national interest of the United States, but in the possession of Spain" (Pérez, 2003, p. 1). James Monroe's Monroe Doctrine in 1823 stood in opposition to European power in the Americas (Gilderhus, 2006, p. 5). Although it promised no direct American colonization, it created a Caribbean sphere of influence for the United States. Perhaps the United States was becoming the 'master of Caribbean' that Jefferson had desired. The concept of Manifest Destiny became the guiding force of the 1800s as the United States went to war with Mexico in 1846. The trajectory of the United States towards the Caribbean is undeniable.

In 1881, U.S. Secretary of State James Blaine wrote of Cuba, "that rich island, the key to the Gulf of Mexico...is in the hands of Spain...If ever ceasing to be Spanish, Cuba must necessarily become American" (Shinkman & Soergel, 2014). Cuba became embossed with metaphors signifying colonial meanings – "the Key of the New World," "the Key to the Gulf," "the Bulwark of the West Indies," and "Pearl of the Antilles" (Pérez, 2003, p. 18). The acquisition of Cuba became indispensable to the future well-being of the United States. Alfred Mahan's naval vision in the late 1800s included the "acquisition of bases in the

Caribbean to secure America's Mediterranean. In his analysis, Cuba was the best-suited to dominate the Caribbean and the Gulf of Mexico" (Holmes, 2004, p. 33). Cuba's position within the Caribbean would offer an unmatched advantage to America's growing naval supremacy.

In 1898, this dream would begin to come to fruition. The Spanish-American War began in 1898 on the coat tails of the Cuban War of Independence. The spread of 'yellow journalism' in the United States fueled the fires for intervention. After the sinking of the U.S.S. Maine in Havana Harbor and reports of injustice in Cuba, the United States invaded (Holmes, 2004, p. 1). It was a thinly disguised attempt to control Cuba (45). At the war's conclusion in 1899, the United States gained control of Spain's holdings in Guam, the Philippines, Puerto Rico, and Cuba (1). Cuba became a protectorate of the United States and was ruled under the controversial Platt Amendment (1). The close geographical distance was used to conceptualize interventions in Cuba in 1906, 1912, and 1917 as "binding moral obligations between neighbors" (Pérez, 2003, p. 35).

Although American interventions in Cuba were later cited as justifications for the Cuban Revolution, Cuba was inexplicably tethered to American political identity. In December of 1899, U.S. President McKinley announced to Congress, "the destinies of Cuba are in some rightful form and manner irrevocably linked to our own" (Pérez, 2003, p. 196). Over the course of two hundred years, the American government and media used striking metaphors of Cuba as a woman, a neighbor, a ripe fruit, and a child learning to ride a bicycle to characterize Cuba's dependence on the United States (Pérez, 2003). The conjuring of these infantile and powerless images demonstrates the indescribable need for American control in Cuba.

Quite rapidly after 1898, Cuba became the destination for both businessmen and vacationers alike. The Spanish-American War, in economic and social terms, was difficult for both the United States and Cuba. Cuba “faced an economy, society, and political system devastated by war” (Santamarina, 2000, p. 41). Under the political arrangement, the United States became the fuel for reconstruction. Central to the U.S.’s rebuilding policy, “and part of America’s growing empire and expanding overseas economy, was the Cuba Company” (41). The Cuba Company was created in 1900 to develop Cuba through the construction a central railroad through the island. Within two years, “the Cuba Company built a 350 mile central railroad extending from the end of the United Railways of Havana to the eastern port of Cuba” (42). This railroad would literally become the bedrock on which Cuban investment would be built.

Due to the influx of American capital along the train line, the Cuba Company realized attracting tourists, and thereby potential investors, was a precondition for its development. To invest, however, wealthy Americans must be lured to Cuba. The Cuba Company began to coordinate with American travel agencies to promote travel to Cuba. The venture was extremely successful. Although tourism statistics were not collected until 1934, “an estimated 100,000 tourists annually visited Cuba before 1934, spending a total of between \$10 and \$15 million. The great increase in tourism after 1910 also coincided, not surprisingly, with the rise in direct U.S. investment in Cuba, which increased by more than \$1.1 billion between 1914 and 1924” (70). Luxury hotels and restaurants geared towards American tourists flourished around Cuba. The vintage ads encouraging Americans to visit the idyllic island are recognizable today, but were extremely effective in building an economic and cultural tie with Cuba.

Fulgencio Batista's rise to power in 1940 shocked and impressed the United States. Batista's anti-communist goals "struck a responsive chord in Washington policymaking circles" and Batista proved to be an unequivocal supporter of American foreign policy goals (Morley, 1982, p. 144). In part shaped by Cuba's status as primary source of raw material goods such as sugar and tobacco, the Batista era is what Morley called "the politics of accommodation" (153). The bulk of U.S. military assistance grants to the Batista regime were authorized between 1954 and 1958, including more than \$16 million in military equipment and training for Cuban officers in the Panama Canal Zone or at military bases in the United States (159). America's choice to not only appease, but to overtly support, a dictatorship in the name of anti-communism exemplifies America's shaky commitment to humanitarian intervention.

Moreover, Batista's Cuba became a haven for thriving American businesses. Enmeshed in a network of commercial interests, Cuba obtained access to communication technologies as soon as they were available. By 1870, "Havana was part of a circuit that ranged from Key West to Cuba, Jamaica, Puerto Rico, Venezuela and the Eastern Antilles" (Bronfman, 2012, p. 42). Tourism and business information flowed from the telegraph lines. More ubiquitous, at least in Havana, was the telephone. U.S. capital took greater control of Cuba with the creation of the communications empire, International Telephone and Telegraph. By 1916, Havana had five telephones per 100 inhabitants, half that of New York. By 1921, undersea telephone cables connected Havana and Key West, allowing for fast communication for the growing capitalist ventures. Because of their financial relationships, "New York and Havana were linked via telephone sooner than New York and

many US cities and towns” (42). Needless to say, the Cuban-American connection, both in economic and cultural terms, was robust.

What America failed to predict, however, was Fidel Castro. On New Years Day of 1959, Batista fled the country, allowing Castro and his revolutionaries to ceremoniously roll into Havana. All traces of America were removed from the island. The “hedonistic playground for the world’s elite” rapidly transformed (Ordonez, 2015). A communist country was installed in the least of expected places – only ninety miles from America’s shore. Worst of all, it sprung despite close political, economic, and cultural ties. It was the ultimate betrayal. The beloved ‘pearl of the Antilles’ was no longer under American control.

In a mutually reinforcing cycle, America’s tie to Cuba’s land became equated with America’s tie to the Cuban migrant population. In contrast to most of the Caribbean, the Cuban immigrants in the early 1960s were upper class. Silvia Pedraza typifies these immigrants as “those who wait” (Pedraza & Rumbaut, 1996, p. 264). They were Cuba’s elite, dedicated to an economic and political system tethered to American capital. When the revolution showed radical tendencies in 1960, the exodus of political immigrants began (264). They fled the island as Cuba’s old order was overturned and strongly believed the revolution would be short-lived. Hence the self-given name, ‘Cuban exile’ as opposed to ‘refugee’. According to Pedraza, 91% of refugees who came to the United States in the first wave (1960-1964) were white (274). This contributed to distinct treatment by the United States.

The temporary implications of “those who wait” not only in part created the impetus for the Act, but also sculpted the image of Cuban migrants moving seamlessly in and then out of the American system. In the meantime, the creation of an internal image in America

was of utmost importance. The story is certainly rooted within the Cold War, but in an unexpected way. It was not about the geopolitical issues. Nor was it about retaliating after a stab in the back. Rather, the Cuban Adjustment Act positioned the United States as a nation of refuge for those who shared its values. Despite the dramatic severance in 1959, Cubans were essentially viewed as Americans by extension, vis-à-vis the conceptual connection to Cuban territory. They were 'just like us'.

Therefore, when the Immigration & Naturalization Act was passed in 1965, the United States eliminated its racist immigration practices in an effort to gain international acceptance. The Cuban Adjustment Act, passed only one year later, at first appears to fit into this model. Upon further investigation, America's decision to pass the CAA was less about gaining international acceptance and more about constructing a national identity that conformed to its original inclusionary values. The Congressional hearings began with very pragmatic arguments about Cuban refugees and quickly morphed into a conversation of Cuban exceptionalism. Therefore, the CAA matched the preordained conception of Cubans and welcomed Cubans with open arms.

#### *The Congressional Hearings of August 1966*

The greatest evidence of this notion comes from the Congressional Hearings on the Adjustment of Status for Cuban Refugees. A subcommittee of the House Committee on the Judiciary conducted a set of congressional hearings in 1966 to address the growing immigration dispute. For three days, members debated the adjustment of Cuban status. Adjustment of status is the procedural process for achieving legal and permanent



immigration standing in the United States. Over the course of August 10, 11, and 17, 1966, delegates debated the tedious details of Cuban immigration to the United States.

At first, pragmatism triumphed in the debate. The pragmatic views encompassed issues such as administrative burdens and logistical nightmares with Cuban migration. For example, the opening statement of George Ball, Under Secretary of State, stated:

I believe this bill [bill to adjust the status of Cuban refugees to that of permanent residents of the United States] should be enacted. Its passage would ameliorate the plight of thousands of Cuban nationals who fled to the United States from the communist government of Cuba and who find it difficult to obtain suitable employment and to travel outside the United States because of the indefinite nature of the status in the United States (Adjustment of Status for Cuban Refugees, 1966, p. 3).

At the time of the debates, a Cuban refugee could only obtain a permanent visa by leaving the United States, applying at a United States consular office in a third party country, and then reentering the United States (Arteaga, 2007, p. 513). Since diplomatic relations were severed with Cuba in 1961 (Adjustment of Status for Cuban Refugees, 1966, p. 61), this process of becoming a citizen the normal way was exhaustive and costly.

George Ball emphasized the administrative nightmare at various points during the hearings. The procedure of leaving the country to apply was very awkward, “both on the applicant and upon the U.S. consular offices” (5). Ironically, Mr. Ball believed the Cuban Adjustment Act would equalize Cubans with other immigrants to the United States. “It puts a premium on the position of having enough money and time to permit the applicant to travel,” Mr. Ball stated (5). In addition, the large amount of Cuban refugees placed an

unusual burden on U.S. consular offices abroad, particularly those in Canada and Mexico. Due to staff limitations, the job became overwhelming in these border offices (6).

Mr. Ball emphasized the legal precedent of such a maneuver. Legislation enacted before 1965 made it possible for adjustment of status to be made without the burden of leaving and reentering the country for many other aliens. This occurred for Hungarian refugees in 1958, for refugee escapees within the mandate of the United Nations High Commissioner for Refugees in 1960, and for refugees from communism from outside the Western Hemisphere in 1965 (4,5). The comparison to respectable precedent displayed the Cuban situation as mundane and logistically necessary. Mr. Rodino even asked, "Do we feel confident that the other countries of the world would understand that this kind of special help that we propose to extend to the Cuban refugee is done because it is necessary, because it is practical?" (17). The sensible solution to Cuban immigration was heavily emphasized.

Such logistical explanations can be compelling. By 1966, the Immigration and Naturalization Service reported there were 165,000 Cubans in the United States without permanent residence (30). Of these, 36,000 had arrived since resumption of airlifts from Cuba in December 1964 (30). An additional 81,000 were in the United States on parole (30). Another 47,000 were admitted on nonimmigrant visas before the diplomatic withdrawal from Cuba in January of 1961 (30). The hearings believed that such legislation "would be a humane postscript to the message formulated by our Government and voiced by the President when he said to the people of Cuba that those who seek refuge here in America will find it" (31). Such a legislative response would be appropriate to accommodate the influx of immigrants.

The pressure exerted on foreign governments elevated the concern for America's international image. Despite the close distance to the United States, Cubans did not solely flee to the United States. By 1966, there were 46,000 Cubans scattered across Latin America (15). While relatively small numbers of Cubans fled to countries such as Brazil and Paraguay, substantial numbers fled to Mexico (10,300), Venezuela (10,000), Spain (15,000) and Panama (2,000). Cubans' expedited immigration process in the United States relieved the pressure on foreign governments. America's absorption of these migrants alleviated the burden of the Cuban crisis from foreign countries and positioned itself as the international savior. The debate appears to revolve around the 1965 mentality of garnering the support of the international community.

However, the Congressional discussion abruptly morphed from logistical concerns to questions of identity. From the onset, the hearings expressed the desire of the United States "to play a full and sympathetic role as a country of asylum for refugees from communism" (4). It was the stated goal that Cuba "shall be freed from communist domination" (5). But these proposals did not affect all communist refugees. Therefore, there was something distinctly unique about Cuban migrants. Realists might argue that special quality was due to the severance of diplomatic relations or the influx of migrants. However, the perhaps subconscious, special perceptions Americans held of Cubans become apparent as the debate continues.

For decades, the United States felt a special connection with the Cuban territory. Due to its close geographical distance, the land seemed like a natural appendage to the United States. Over time, Americans began to identify with the Cuban people, mutually reinforced by the connection to the land. Throughout the debates in 1966, Cuban migrants

were consistently compared to American people. Cuban migrants were framed in an exceptional way to capture both their positive attributes and their similarities to Americans. Congressman Frank Chelf, a Democrat from Kentucky, epitomized this point when he stated:

I made a trip down to Florida in April of this year. I had been hearing about the Cubans and how many we had and what they were doing, and all that sort of thing...I saw with my own eyes firsthand these people and I talked to them in my broken Spanish as best I could, and let me tell you something, I was very much impressed with them. They are very fine people and they come from good stock (12).

The people of 'good stock' were mostly Cuban professionals, such as the doctors and lawyers that Pedraza described. "Without doubt the Cuban professional, paroled into the United States, is the most seriously affected by this situation" (52). The possibility of medical students in the United States was a promising proposition. "There is a great shortage of doctors in this country and the American Medical Association has been very helpful in making it possible for foreign trained doctors to practice in this country one way or the other" (55). By August 1966, there were more than 1,700 Cuban doctors in the country. However, without permanent residency, they could not take the Educational Council for Foreign Medical Graduates examination. In terms of foreign doctors, "graduates of the University of Havana Medical School placed high in the percentage of those who are successful in passing the examination compared to other universities around the world" (54). Therefore, Cuban doctors were not perceived as a burden. In direct contrast, they were an asset.

The underemployment the Cuban refugees faced was of heightened concern for the debaters. "We have hundreds of these professionally qualified people who are getting along on marginal incomes when, if the doors were open to them, they could earn incomes that would be adequate for the support, relatively, of middle-class living," Dr. Ellen Winston, Commissioner of Welfare, asserted (55). "Unemployment is no the parolee's problem; it is underemployment that plagues the Cuban parolee in this country" (52). The creation of a homogenous middle-class was significant in the passage of the CAA. At a time of high unemployment in the United States, Cuban professionals offered an easy way to bolster the workforce without endangering the wellbeing of established Americans. If anything, they would improve the collective wellbeing of communities across America.

The behavior of Cubans in the United States received serious consideration. When Congressman Peter Rodino, a Democrat from New Jersey, asked, "Do Cubans present any health problems in the resettlement communities?" (71), the answer was, "they have no more and no less than the average American; generally the same type of diseases" (71). By comparing Cubans to Americans, they were granted greater access than other migrants due to their perceived similarities to American culture and values. When Congressman Michael Feighan, a Democrat from Ohio, pondered the incidence of crime among the Cubans in the United States, John Thomas, director of the Cuban Refugee Program, was pleased with the information gathered (71). "We have resettled Cubans into some 3,000 communities across the country. We have been particularly happy that very few instances of crime are reported out of these communities" (71). The Cuban children, the future leaders of the Cuban-American exile community, were equally impressive. "In Miami we have 15,000 to 20,000 children of school age, Cuban children of school age in that community. To date we know of

only four cases appearing before the juvenile court and the authorities in Miami regard this as remarkable” (71). Unlike migrants who might ‘cause trouble’ or radically change the culture of established American communities, Cubans could slip seamlessly into the American tradition.

The hearings were so impressed by character of Cubans, the migrants were granted an expedited admission process in addition. Normally, immigrants in 1966 faced a five-year waiting period for citizenship to “give them time to get adjusted and acclimated to the United States” (11). However, “it would seem to us, “ Mr. Ball asserted, “that Cuban nationals who have been in this country for 3 or 4 years, even though they may have been here under parole status, would have probably acquired as much knowledge of the United States as if they had come in under an immigrant visa in the first place” (11). Cuban migrants showed they could handle assimilation into American communities and deserved compensation. “These Cuban people have proved worthy of the help they have received and they have earned the right to something more than parolee status,” Dr. Ellen Winston avowed (53). The collective attributes of the Cuban migrant population were positive additions to the United States.

In addition to an expedited process, Cubans were offered vast assistance programs in the United States. Fifteen thousand people received financial assistance in Miami, 1,600,000 hours of English and vocational training was provided, and 3,500 college loans were provided (51-52). These aid packages far exceeded standard operating procedure for immigrants to America. The hearings found “the Cuban refugees to be cooperative and worthy of every respect of our assistance” (52). Therefore, accepting Cuban migrants was not exclusively a pragmatic concern. It was a holistic approach reinforced by the

conception of Cuban people as an extension of American society. The 'honorary Americans' could assimilate into American society through these mutually reinforcing ideals of nation and individual.

Cubans not only received more aid than other migrants, but many received more assistance than Americans. Nelson Valdes, one of the children sent in the Operation Peter Pan to the United States, received benefits not even American children received. "As Pedro Pan kids, we went to private high school and the U.S. government paid for it. Moreover, when we finished high school and wanted to go to universities, it was the 'Cuban loan,' which basically meant that we could go to a loan office at a university and borrow whatever we wanted, which very few ever paid back" (Bardach, 2002, p. 124). In addition, the U.S. spent nearly \$1 billion on Cuban relief programs that included relocation services, English-language training, and housing subsidies (Leonard, 1999, p. 71). The effort exerted to make Cubans successful in the United States was immense.

The outpouring of support from religious groups strengthens the claim the CAA was designed with 'worthy' people in mind. By 1966, the support was firmly established. The Church World Service resettled 19,335 people from February 1961 to August 1965 (Adjustment of Status for Cuban Refugees, 1966, p. 62). In cooperation with the National Committee for Cuban Refugees of the National Council of Churches, a planning commission for Cuban refugees was established with a budgetary support of over \$25,000 yearly (62). From February 1961 to June 1966, the National Catholic Welfare Conference spent five million dollars in resettling refugees (62). Jewish communities aided Cubans, as well. From the beginning of the refugee exodus, United HIAS Service resettled 1,346 Cuban families (62). While this can be viewed as ideological warfare in a geopolitical sense, it emphasizes

the point that American identity mattered greatly in this case. By the debates in August 1966, the American religious community had already deemed Cuban migrants 'worthy' of great assistance and the CAA followed suite. Despite the hearing's belief the exiles would eventually return to Cuba (69), the aid Cubans received was unprecedented.

The passage of the CAA represents America's aim to create a political identity that favored the maintenance of American demographics. While realist explanations are compelling, the constructivist view must supplement that framework. The CAA was neither about the Cold War nor about the evolution of 'inclusionary' immigration practices. Rather, it was the creation of a political identity that valued maintaining certain demographics and values. The plight of Cubans rang loudly upon American ears and motivated the country to react favorably. There was something unique about the Cuban experience that radiated with American lawmakers. "That little island is a jewel," Mr. Chelf stated in the hearings, "that is, before communism set in" (23). America was unable to disentangle nostalgic and romantic sentiments of the pre-Castro era from the migrants flooding America's shores in the 1960s.

The congressional hearings emphasize the CAA nurtured more of a cultural connection than a Cold War strategic one. America's affinity for Cuban migrants was mutually reinforced by early conceptions of Cuba's territory. Accepting early waves of Cuban migrants symbolically aligned the United States with what it always considered its own realm. While realist Cold War factors cannot be ignored, a deeper constructivist view supplements the narrow approach to Cold War politics. The CAA was never entirely informed by the Cold War or the Soviet Union. It was not about impressing the collective



'them' of the world. It was always an overarching need to fashion certain internal political conditions. It was always about us.

## Chapter Four – The Afterlife of the Cuban Adjustment Act

### *The Mariel Boatlift of 1980 – An Image Change*

The congressional hearings provided a romantic image of Cuban migrants in the 1960s. They were what Areaga called a “model minority” (Arteaga, 2007, p. 526). However, this image changed radically in 1980, further undermining the focus on Cold War pragmatism. As will be shown, the Mariel Boatlift of 1980 and the Migration Accords of 1994 & 1995 demonstrate the exact opposite sentiment as expressed in 1966, highlighting the constructivist tendencies regarding the CAA.

In April 1980, Cubans seeking political asylum crashed a bus through the gates of the Peruvian embassy (526). In the ensuing political negotiations, Fidel Castro announced any Cuban who wished to leave Cuba should assemble at the Peruvian embassy (526). At the same time, Castro opened the port of Mariel for Cuban-Americans to pick up their relatives by boat (526). By the time the 165-day exodus ended, nearly 125,000 Cubans had escaped to the United States (526). However, the United States was not receiving Cuban professionals like in the 1960s. Castro called this wave the scum, or *escoria*, of his country: “homosexuals, drug addicts, and gambling addicts” (526). These were not the immigrants of the transition from capitalism to communism, but the children of communism itself (Pedraza & Rumbaut, 1996, p. 269). Although they arrived in the United States through Jimmy Carter’s policy that welcomed them “with open hearts and open arms,” there was distinct shift in American perceptions of Cubans (269).

The romantic image of Cubans faded quickly by the boatlift in 1980, as Marielitos faced the social stigma associated with the exodus. Only ten to twenty percent of the

refugees were criminals, but the negative image haunted every Marielito (Malinconico, 1984). “When some people find out that you’re a Cuban refugee from Mariel,” said Manuel Lorenzo, an auto-repair shop owner in 1984, “they say, forget it, I’m getting my car out of here” (1). Although the United States deemed a mere 2,500 Marielitos ineligible for permanent status due to criminal records or mental conditions, the problems the Marielitos generated were national headlines. In Union City, New Jersey, the second most popular destination for Cubans after Miami, the Marielitos committed a greater percentage of crimes than their proportion in the general population would suggest (1). The very name ‘Marielito’ held an extremely negative connotation to in the 1980s as the press focused inordinately on the criminal element (Pedraza, 1996, p. 270).

However, this response was not driven exclusively by crime. A majority of the Marielitos were among the poorer classes in Cuba, the very people in whose name the revolution was made (Pedraza & Rumbaut, 1996, p. 275). In 1980, Robert Bach studied the characteristics of the Marielitos in processing centers and refugee camps. Their working class origins-71% were blue-collar workers-stressed the limited opportunities they faced in Cuba (270). In the early 1960s, 25% of Cuban migrants had a college education, whereas only 7% of the Marielitos had the same level of education (Pedraza, 2007, 153). Perhaps most salient, at least in Bach’s study, was their youth. Most were young men, single or without their families (Pedraza & Rumbaut, 1996, p. 270). The median age for the new refugees was thirty (Malinconico, 1984). Many came of age during Castro’s phases of revolutionary consolidation, but the decades under Castro made them “less likely to be innovative, industrious, or to save money” (1).

The new refugees were not the successful families of the 1960s landing in the U.S. by airplane. Not to be overlooked, there was a visibly higher proportion of blacks in the Mariel Boatlift. Although Cuba has always been a multiracial society, the Marielitos “had the lowest proportion of white of any wave” (Pedraza & Rumbaut, 1996, p. 274-275). Pedraza put it simply:

A typical 1960 émigré was an older, white, male executive that would likely have become disaffected by the nationalization of American industry in the early years of the revolution. But a typical 1980 émigré was a young, black, male bus driver that would scarcely have minded that nationalization. Instead, he might have spent many years believing in the professed goals of the revolution, until a bout a prison terms for his participation in the extensive black market of the 1970s promoted his disaffection (270).

All Cuban refugees were alike in their final rejection of Cuba, but the Marielitos were ‘pushed’ out of Cuba due to prolonged hardship rather than nostalgia for pre-revolutionary Cuba. Pedraza characterized the Mariel Boatlift as “those who hope” (270). They would have come of age in the 1960s and 1970s, when freedom of expression and homosexuality were handled with prison sentences (271). With the revolutionary struggle long gone, the Marielitos would have faced limited opportunities and they hoped a better life awaited them in the United States.

In the American public’s eyes, these migrants were poor black men inundating American society with criminal pasts – crowded on dilapidated vessels, no less. While Cuba policy did not change until the 1990s, we begin to see the seeds of perception changes in

Cuban refugees. The Mariel Boatlift was the beginning of the change in Cuban social composition and American policy change.

#### *The Cuban Migration Accords of 1994 & 1995*

The Mariel exodus proved so traumatic for both Cuba and the United States that immediately after, the doors to migration closed (272). The Migration Agreement, signed in the 1980s, provided American visas for up to 20,000 Cubans (272). However, in practice only 2,000 visas were issued annually (272). The lack of American visas, coupled with the Torricelli Law in 1992 and the collapse of the Soviet Union began the fourth wave of Cuban migration: the 'balseo,' or rafting, crisis. The Soviet Union, Cuba's main economic supporter - or what Wescott & Powell called "Cuba's sugar daddy"-had completely dissolved by 1991 (Wescott & Powell, 2014), leaving Cuba with dire economic conditions. Electricity, food rations, and public transportation were scarce. The economic crisis was so severe that in the fall of 1990, "Castro himself declared it a 'special period' in a time of peace" (Pedraza & Rumbaut, 1996, p. 272). Castro's attempts to save socialism included opening the economy to trade and reintroducing the use of U.S. dollars (272-273). However, the radical attempts to liberalize socialism did not succeed. Cubans took to illegal immigration to escape the confines of economic failure.

While immigration to the United States dipped after the Mariel Boatlift in 1980, the numbers began to intensify in the early 1990s. The number of Cuban rescues climbed from 2,203 in 1991 to 3,656 in 1993 (Barrios, 2011, p. 7). In 1994 alone, "37,000 Cubans were rescued at sea" (Pedraza & Rumbaut, 1996, p. 273). It was becoming another full-blown

immigration crisis. In 1994, journalist Liz Balmesada famously wrote, “Cuba bleeds, and the drops are called rafts” (273).

This time, like in 1980, they were not the upper class Cubans of the 1960s. “Unlike the first two groups, the majority this time set sail on rafts made of inner tubes, boxes, planks of wood, and any floating material that could be tied together” (Arteaga, 2007, p. 527). They witnessed the revolution fail over decades – and they were desperate to leave Cuba. Cubans began hijacking government owned boats in Cuba to come to the United States (Barrios, 2011, p. 7). When Castro began to crack down on rafters, Cuba experienced a rare display of political unrest in August 1994 (“Protesters Battle Police In Havana,” 1994). Cubans gathered on “Havana’s waterfront and in the hotel zone after a series of boat hijackings by people trying to flee Cuba” (1). After the riot, Castro announced the Cuban Coast Guard would temporarily cease enforcing the laws against leaving (Barrios, 2011, p. 7). Just as during the 1980 Mariel Boatlift, Castro used immigration as a political tool to relieve opposition and the United States received the brunt of the announcement.

More than thirty thousand Cubans responded aggressively to Castro’s declaration (7). The Florida Straits crowded with hopeful Cuban refugees. The crisis became so strong the Cuban Migration Accord was signed in September of 1994 to normalize migration between the two nations. “The plan’s objectives of safe, legal, and orderly migration relied on six points” (Wasem, 2009, p. 2). Most importantly, the United States agreed to no longer permit Cubans intercepted at sea to come to the United States. They would be placed in a “safe haven camp” in a third location and ultimately returned to Cuba (2).

Two legislative changes resulted from the rafting crisis in the early 1990s. First, the United States allowed 20,000 Cubans annually to migrate legally to the United States

through the Special Cuban Migration Program (4). At the same time, however, the United States made it increasingly difficult to enter the country illegally. In steps contrary to the CAA, the U.S. adopted the 'wet foot, dry foot' policy in 1994 as an addendum to the Act. Any Cuban who reaches dry American land is permitted to remain in the United States. However, those intercepted by the U.S. Coast Guard in the Florida Straits are returned to Cuba (Pedraza & Rumbaut, 1996, p. 273). Ironically, the 'wet feet' were sent to the U.S. Naval Base at Guantánamo Bay (273). The Cuban Migration Agreement of 1995 paroled a majority of the refugees into the United States, while the ones intercepted at sea were repatriated to Cuba (Wasem, 2009, p. 4).

These changes resulted in numerous international headlines. The 'wet foot, dry foot' still gives today's Cuban migrants an opportunity not afforded to other migrants. However, this grey area of immigration has become scrutinized in the 21<sup>st</sup> century. In 2006, for example, fifteen Cuban migrants were found clinging to a bridge piling in the Florida Keys. "The group, including three small children, was repatriated by the Coast Guard after the Department of Homeland Security ruled the historic bridge – part of the old, disused Overseas Highway – was not U.S. territory" (Adams, 2006). The section of the old Seven Mile Bridge where the migrants were found was no longer connected to land, thereby rendering the group's feet 'wet'. The question of 'what is and what is not' American territory was nullified by the group's return to Cuba. The semantics employed to return this group to Cuba was an outrage to the Cuban-American community.

In addition, the most iconic battle between the United States and Cuba was surprisingly not a show of military force or capabilities. It was, in fact, the battle for the fate of a young boy. In 2000, the Elián González affair captured national and worldwide

attention when the six-year-old Cuban boy was rescued on Thanksgiving Day, 1999, three miles off the coast of Fort Lauderdale, Florida clinging to an inner tube (Benet-Weiser, 2003, p. 149). What would ensue from the rescue is what can only be described as surreal. “Immediately after his rescue, a ten-month battle took place in the courts, the media, and with the American and Cuban-American public” (150). Even though Elián’s family in the United States respected the wishes of his deceased mother, his biological father in Cuba wanted him returned to the island.

In the end, the choice was made to return the young boy to his father in Cuba. Reno issued an order to the INS to remove Elián from the home of his Miami relatives. “The ‘raid’ that took place April 22, 2000 was captured in a photograph that depicted a terrified Elián seemingly threatened by an INS agent brandishing a rifle” (150). Elián’s powerful connection to both a future citizen of the United States and of the Cuban exile community played a significant role in how the media framed the affair (157). He was, in an unprecedented way, the screen on which ideologies battled for supremacy. The tangible struggle for the young boy was manifested in Cuba’s desire for his return and the shocked American public they would return him to such an awful situation.

However, Cuban migration policy has changed little since the Elián affair. Moreover, Cuban migration policy has remained largely intact while refugee status of other U.S.-bound migrants fluctuates. In April 1975, the United States-backed government of South Vietnam collapsed (Kelly, 1986, p. 139). “In that year, approximately 130,000 refugees from Vietnam, and to a lesser extent, Cambodia and Laos, found their way to the United States” (139). While American involvement in the Vietnam War contributed to the refugee crisis, many fled civil wars, famine, and political upheaval (139). Like Cuban migrants of the



early 1960s, first-wave Vietnamese arriving in 1975 were well educated, “not only by Vietnamese standards, but by American standards as well” (141). However, unlike Cubans of the 1960s, they were not exactly welcomed into the United States. Many Americans opposed granting them asylum; “they saw the Vietnamese as reminders of a war that Americans should never have fought” (148). A general hostility greeted many refugees throughout the United States, in part informed by the economic recession of 1977 (148).

By March 1980, more than 400,000 refugees from former French Indochina gained entry into the United States (139). On March 17, 1980, one month before the exodus from Mariel Port, the U.S. Congress passed the Refugee Act of 1980 (Zanetti, 1984, p. 145). Determination of refugee status rests on the applicant’s statement, rather than a general judgment on the country of origin (145). In an effort to curb entitlement to enter the United States, the Act created a legal mechanism where the Attorney General has discretionary authority to grant or deny asylum (147). More importantly, it repealed the Indochina Migration and Refugee Assistance Act of 1975. Instead of the ad hoc approach to refugee crises, the Act of 1980 created the most comprehensive U.S. law ever enacted concerning refugee admissions and resettlement (Leibowitz, 1983, p. 163). While Cuban exceptionalism remained untainted, the doors of American opportunity opened and promptly closed for certain groups of migrants. Cuban migrants, until the 1980s and 1990s, embodied success. Vietnamese, on the other hand, represented a painful reminder of an unpopular war, waged far from home.

Since the Vietnamese did not develop a powerful lobby like the Cubans did, in part due to their scattered relocation throughout the United States, they were unable to rotate American politics to fit their needs. Although the Cuba lobby played no role in the passage

of the CAA in 1966, it does however play a substantial role in the continuation of the Cuban Embargo. The Cuban Embargo was fully codified into law in 1962, after the Castro regime made threatening gestures towards the United States (Lowenfeld, 1996, p. 420). Since the Cuba lobby has hijacked most of Cuba policy, the embargo has been strengthened throughout the decades. In 1992, U.S. President George Bush signed the Cuban Democracy Act, presented by U.S. Congressman Robert Torricelli. "The Act tightened the present U.S. embargo against Cuba by reimposing a thirty-two-year-old trade ban which previously prevented subsidiaries from trading with Cuba" (Bell, 1993, p. 79). The Act rekindled America's commitment to a democratic Cuba by reimposing a ban of U.S. foreign-subsidiary aid (80).

In 1996, despite President Clinton's initial hesitation towards another bill to strengthen the embargo, his mind was changed after the Cuban government shot down Brothers to the Rescue planes (Lowenfeld, 1996, p. 420). The anti-Castro Cuban-Americans undoubtedly pressured the U.S. government for reform. The 1996 Helms Burton Act imposed threats against third party countries that do business with Cuba and codifying existing economic sanctions on the island (419). The great irony, however, is that these two bills have the harshest impact on the long-suffering Cuban population, not on the subject of the embargo - the Cuban regime (Bell, 1993, p. 80). Both have done little to crumble the communist regime, but rather have facilitated in legitimizing the Castro administrations.

The Cuban-American exile community is therefore a product of the CAA rather than its cause. The powerful Cuban-American lobby cannot account for the CAA's passage in 1966, nor can it fully explain its continued use. It does, however, play a substantial role in the Cuban Embargo, an Act not fully informed by the Cold War. Under the 1996 Helms-

Burton Act, the Cuban Embargo cannot be lifted until the nearly 6,000 property claims filed in the wake of the Cuban Revolution are settled (Neyfakh, 2014). The law, championed by the Cuba lobby, makes these settlements one precondition for the elimination of the embargo (1). The Cuban Embargo is buried deep within decades of legislative sanctions supported by the Cuba lobby. Any movements to lift the embargo, embedded within deep nostalgic and political sentiments, would be an historic moment.

While the Cuba Lobby can explain the continuation of the embargo through various pieces of legislation, the lobby cannot explain the CAA. The Mariel Boatlift of 1980, the Migration Accords of 1994 & 1995, and refugee policy since 1966 corroborate that the CAA was not entirely based in realist, Cold War pragmatism. We see a distinct pivot away from the romantic notion of the 1960s and a dramatic turn towards negativity. The Cuban refugees' means of travel, corresponding to their race and economic status, informed the image change in the late twentieth century. They were the least white racially, at least by American definitions, and represented the most economically disadvantaged group of Cubans. The public outcry in 1980 and the early 1990s only solidify the claim the CAA was based in terms of national identity and perception of immigrants. The image changed and the policy changed accordingly.

Long after the missile threat from Cuba faded from memory and the mistake of the Bay of Pigs was revisited countless times, the question of Cuban refugees persisted within a question of national identity. The waves of migration in 1980 and 1990s were seen as an assault on American communities, while the Elián González affair epitomized the struggle between being a nation of refuge and a law-abiding nation. The refugees from Vietnam, a fellow communist country, did not receive the same treatment as Cubans, despite their

overlapping history and regime type in the 1970s and 1980s. These struggles, framed in constructivist terms, show the CAA was passed with identity and perception at the helm.

## Conclusion

The 2010 U.S. Census counted 1,785,547 persons who identified themselves as being of Cuban origin or descent. Of the nearly 1.8 million Cuban-Americans in the United States in 2010, more than 1.1 million were actually born in Cuba (Pérez, 2003, p. 134). The vast majority of these Cubans immigrated to the United States post-1959. “The present-day Cuban diaspora, therefore, is composed almost entirely of immigrants whose presence in the United States is linked to the process of revolutionary change in Cuba” (134). Although a history of migration existed prior to Castro’s takeover, the Cubans in today’s America represent the vote for capitalism and the vote against communism. Many Cuban-Americans are thriving in the United States today due to the Cuban Adjustment Act of 1966.

The politics of the Cuban exile success story have become a hallmark within American political debate. Cuban heritage in the United States is shaped, at least in part by, exile and antipathy to the Fidel Castro dictatorship. Senator Marco Rubio, the son of Cuban immigrants, has gained considerable political popularity in the 2016 election. His questionable tale of the “son of exiles, Cuban Americans forced off their beloved island when a thug, Fidel Castro, took power” has resonated with American voters, Cuban-Americans in particular (Roig-Franzia, 2011). However, “naturalization documents show that Rubio’s parents came to the United States more than two years before Castro’s forces overthrew the Cuban government and took power on New Year’s Day 1959” (1). The image of Rubio’s family persevering in the United States despite the ideological struggle in their beloved country has proved successful in his campaign for presidency.

At least within the 2016 presidential election, Rubio’s platform includes vast rhetorical claims to the American Dream. His parent’s heroic run from Fidel Castro, to

working odd jobs in the United States –“my father was a bartender and my mother was a hotel maid” – to becoming the successful Cuban exile of today functions in their larger appeal to American sentiments (Eder & Barbaro, 2015). In this way, he aligns himself with the white, upper-class Cuban migrants of the 1960s. In a larger attempt to identify with the immigrant communities in the United States, he has effectively ‘forgotten’ about the privileges afforded to his parents and other Cuban elites in the 1960s. His parents did not ‘pull themselves up by their bootstraps’ and commit to the American Dream out of pure passion. Although Rubio’s family arrived in the United States prior to 1966, the CAA afforded Cubans an unprecedented privilege.

Therefore, in order to understand the Cuba we face today, we must understand their special privilege. A flurry of changes occurred between Cuban-U.S. relations in 2014 that threatened the CAA. U.S. President Obama’s announcement in December 2014 to normalize relations with Cuba was unexpected. After more than fifty years of a deadlock, few expected the status quo to change. After eighteen months of secret negotiations with the Cuban government, Obama vowed to “cut loose the shackles of the past and sweep aside one of the last vestiges of the Cold War” (Baker, 2014). The current policy was a dusty, outdated approach to an expired threat. We must move beyond a “rigid policy that is rooted in events that took place before most of us were born” (1). The justification for American hostility has simply expired.

This new beginning crystallized when the Obama administration removed Cuba from America’s list of nations that sponsor terrorism in May 2015. Cuba was added to the list in 1982, “when the government was sponsoring leftist insurgencies” (Davis, 2015). The update from interest sections to full embassies in Washington D.C. and Havana occurred

despite the culmination of decades of mistrust and deception. For the first time since diplomatic ties were severed in 1961, the respective embassies opened once more. When diplomats returned to the old U.S. embassy in Havana in summer 2015, “they found years of dust accumulated on the furniture and calendars from 1961 still on the walls” (Oppmann, 2015). When flags flew over the embassies after more than fifty years, it was a symbol for the revision of U.S.-Cuban Relations.

This revision of the status quo spells possible changes to the Cuban Adjustment Act. Since Obama’s announcement in December 2014, the U.S. Coast Guard has become increasingly worried about the recent spike in Cuban ‘boat people’ (Potter, 2015). “Coast Guard officials say they are being told many of the migrants are trying to reach South Florida now, because they fear the U.S. will terminate the ‘wet-foot dry-foot’ policy” (1). The U.S. Coast Guard intercepted 117% more Cubans attempting to land in the United States in 2014 than in 2013 (Lamothe, 2015). Even though U.S. Homeland Security Secretary Jeh Johnson claims current Cuban immigration policy will remain intact for the time being, many Cubans perceive these changes as a deadline for their escape to the United States (1). Many fear the end of their easy access to the United States is near. This mini ‘fifth wave’ of Cuban migration highlights the degree to which Cuban migration is tethered to U.S. policy.

Indeed, Cuban migrants represent the category of political refugees as opposed to economic migrants. Refugees are more ‘pushed by the social and political processes in the society they leave than ‘pulled’ by the attractiveness of the new (Pedraza & Rumbaut, 1996, p. 264). Given the choice, they would stay. A refugee trades everything he or she knows for the promise of a better future. This is not to say internal conditions in Cuba did not matter-

they mattered greatly. However, the ease in which Cubans can become U.S. citizens is unparalleled and contributed to the waves of migrants. America's mostly welcoming attitude towards Cubans is an assertion embedded within peculiar political and social structures. Cubans' ability to rest their heads safely on American soil is motivated by political strategy and symbolic capital.

In 2004, a poll conducted by the Institute for Public Opinion Research and Cuban Research Institute at Florida International University found "42.6% of Cubans polled are not at all likely to return to Cuba if the Cuban government shifts from a totalitarian to a democratic form" (Arteaga, 2007, p. 535). In other words, a large percentage of America's "special favorites, self-imposed political exiles, and consumer refugees" have found a permanent home in the United States (510). Cuban-Americans will continue to shape domestic politics in the United States. At the same time, they will construct their Cuban homeland from afar. The two nations are inexplicably tied, both in historical legacy and social implications. We must understand Cuban trajectory to the United States as we continue to debate the politics of immigration, race, citizenship, and democracy.

This is the complex Cuban migration situation the twenty-first century inherited. Cuban migration is seated at the intersection of national security, ideology, race, class, nostalgia, and fear. Not overlooking the Cold War advantage of receiving communism's refugees, the particular case with Cuba relies heavily on constructivist sentiments. Indeed, the Cuban-American lobby is undeniably instrumental in shaping Cuba policy in the United States. However, the Cuban Adjustment Act cannot be fully informed by the actions of the late twentieth century. The Act's endurance well beyond the end of the Cold War makes the case more particular. The Cuban experience resonates heavily with American lawmakers



and prompted them to create an expedited pathway to citizenship. Cubans were given an outstretched hand where other migrants found slammed doors.

Despite the obstacles of the 'wet foot, dry foot' policy, Cubans are afforded a privilege others only dream about. The continuation of this mentality, despite the possible future changes ahead, reflects how Cuban exceptionalism has outlived the Cold War. Even though the Cold War has been long over, the positioning of America as a haven for refugees, as long as they conform to American traditions. It will always be in the United States' interest to construct a productive national identity. Upholding values such as religion, work ethic, and demographics are goals regardless of the international arena. Cuban migrants were viewed as Americans trapped within a communist stronghold that required drastic assistance – it was the neighborly thing to do.

Therefore, neither the precedent of the Immigration & Naturalization Act of 1965 nor Cold War realism can fully explain the passage of the CAA. Pressured by the international system and the growing civil rights sentiment at home, the U.S. terminated its contentious quota system. The CAA was passed only one year later. Though it appears to be an extension of this mentality, there is more to the story. Upon a closer examination of the congressional hearings on the adjustment of Cuban status, it becomes apparent they are not discussing legislation in realist terms. The debate quickly turned from logistical problems to the quality of Cuban migrants. The CAA is not an extension of the Act of 1965 - there is something in the case of Cuba that elicits a particular American response. The CAA is a reversal to the old-style immigration policy enacted *prior* to 1965. Those who are 'just like us' are granted access to the United States.

From *I Love Lucy's* Desi Arnez to the optimistic political aspirations of Marco Rubio, Cubans are deeply embedded within American political culture. From the Cuban-American Lobby's grip on conservative politics to sending millions of dollars in remittances to Cuba, Cubans have played a considerable role within American domestic politics. Until the drastic legislative changes in the 1990s, Cubans were not perceived as detrimental to American communities. They were one of us; they would send their children to school, avoid crime, learn English, and work hard to achieve the allusive American dream. Despite the cohorts of Cubans in areas such as Miami-Dade County, Florida and the New York metropolitan area (Rusin et al., 2015) and the self-imposed name 'exiles,' Cubans have assimilated into American culture.

This is not to say all Americans, nor all those on the House floor in 1966, approved of the CAA's passage in 1966. American perception of Cuban migrants changed, in part informed by their method of travel – from airplane arrivals in the 1960s, to boatlifts, to makeshift rafts. This change in perception shifted immigration policy as well. America's schizophrenic love of early Cuban migrants and the romantic connection to the territory, while wholeheartedly rejecting Castro's regime and his undesirables represents the complex way in which America deals with Cuba. The CAA, an ostensible Cold War relic, was not a progressive step into the future; it was a step back into the past.

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