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Cuba after Fidel Castro: Issues for U.S. Policy

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Summary

Over the past few years, there has been increased speculation about Cuba's future without Fidel Castro, who has ruled the country since the 1959 Cuban revolution. Castro turned 79 on August 13, 2005, and while over the years news of his imminent demise proved premature, his advanced age makes the date of his departure from the political scene all the closer. The U.S. government has begun to plan in various ways for Cuba without Fidel at the helm. This has included examining transition issues and appointing a State Department Cuba Transition Coordinator. Some observers, however, question the adequacy of the transition planning, in part because it does not recognize the likelihood of a successor communist government headed by Fidel's brother Raúl. This report first examines various transition scenarios for Cuba after Fidel Castro. It then examines implications of the transition for U.S. policy, including U.S. government preparation and current legislative conditions for dealing with a new government. This report will not be updated. For further information on Cuba, including current legislative initiatives, see CRS Report RL32730, *Cuba: Issues for the 109th Congress*; and CRS Report RL31139, *Cuba: U.S. Restrictions on Travel and Remittances*.

Transition Scenarios

Despite the introduction of limited economic reforms since the early 1990s, Cuba under Castro has remained a hard-line communist state since 1959. Soon after ousting the corrupt government of Fulgencio Batista from power, Castro laid the foundation for an authoritarian regime by consolidating power and forcing moderates out of government. In April 1961, Castro conceded that the Cuban revolution was socialist, and in December 1961 he proclaimed himself to be a Marxist Leninist. From 1959 until 1976, Castro ruled by decree. In 1976, his government adopted a constitution, later amended in 1992 and 2002, which set forth the Communist Party as the leading force in the state and society. The 2002 amendments stated that "socialism and the revolutionary political and social system in the Constitution ... are irrevocable, and Cuba will never again return to

capitalism.”¹ Castro dominates the Communist Party through his position as first secretary of the Political Bureau, the party’s leading decision-making institution. He dominates the government through his position as President of the Council of Ministers, the highest executive branch authority, and as President of the Council of State, which makes legislative decisions on behalf of the National Assembly of People’s Power when it is not in session (most of the time since the Assembly only meets twice a year for short periods). As President of the Council of State, Castro is head of state and head of government.²

Fidel’s brother Raúl, as First Vice President of the Council of State, is the officially designated successor (pursuant to Article 94 of the Constitution), and would become head of state and head of government with Fidel’s departure. Raúl — who turned 74 in June 2005 — also serves as First Vice President of the Council of Ministers, as Minister of the Revolutionary Armed Forces (FAR), and as second secretary of the Communist Party. His position in the party was confirmed at the last congress held in October 1997 during which Fidel publicly endorsed Raúl as his political successor.

There are several potential scenarios for Cuba’s future when Fidel Castro either dies in office or departs the political scene because of age or declining health.³ These fit into three broad categories: the continuation of a communist government; a military government; or a democratic transition or fully democratic government.

Successor Communist Government. According to most observers, the most likely scenario, at least in the short term, is a successor communist government led by Raúl Castro. This is true for a variety of reasons, but especially because of Raúl’s designation by Fidel as successor in the party and his position as leader of the FAR, which, since 1989, has been in control of the government’s security apparatus (police, intelligence, and security services) within the Ministry of the Interior. For many observers, Raúl’s strong support from the FAR, which has played an increasing role in Cuba’s economy in the 1990s (through ownership of numerous business enterprises) is the most significant factor ensuring that he will succeed his brother. Some see the likely prospect of Cuba under Raúl following a Chinese model, with increases in economic freedom, albeit with continued political authoritarianism. Some observers contend that

¹ Cuba, Reforma Constitucional 2002, Political Database of the Americas, Georgetown University, at [<http://www.georgetown.edu/pdba/Constitutions/Cuba/ref02.html>].

² U.S. Library of Congress, *Cuba, A Country Study*, U.S. Government Printing Office, Washington, D.C. 2002, pp. 235, 237, and 249.

³ There have been a number of excellent studies on Cuba’s political transition after Fidel Castro. For example, see Edward Gonzalez, “After Castro: Alternative Regimes and U.S. Policy,” Institute for Cuban and Cuban-American Studies, University of Miami, 2002; William M. Leogrande, “The Cuban Communist Party and Electoral Politics: Adaptation, Succession, and Transition,” Institute for Cuban and Cuban-American Studies, University of Miami, 2002; Brian Latell, “The Cuban Military and Transition Dynamics,” Institute for Cuban and Cuban-American Studies, University of Miami, 2003; Jamie Suchlicki, “Cuba After Castro,” *World & I*, January 2004; Edward Gonzalez and Kevin F. McCarthy, *Cuba After Castro: Legacies, Challenges, and Impediments*, RAND Corporation, 2004; Javier Corrales, “Cuba after Fidel,” *Current History*, February 2005; and Daniel P. Erikson, “Charting Castro’s Possible Successors,” *SAIS Review*, Winter-Spring 2005.

the transition has already begun, with Raúl assuming increasing responsibility in policy decisions and day-to-day government management.⁴ Some observers, however, question whether Raúl has the charisma and force of personality that have helped sustain his brother in power for so long. They maintain that divisions within the Communist Party could be exacerbated when Fidel is no longer in power. Moreover, some maintain that Raúl's age will make him a transitional figure, and contribute to increased competition for power within the party.

Although the Cuban government has been dominated by Fidel Castro, analysts have discerned three factions or political tendencies that help explain political dynamics in Cuba: hardliners, centrists, and reformists.⁵ At the helm, Fidel and his strong supporters (many from the early days of the revolution, but also including younger Cubans, such as Foreign Minister Felipe Perez Roque) are considered hardliners or *duros*, those opposed to fundamental political or economic change. Centrists are those who support some market-based solutions to the country's economic problems, but do not espouse wholesale Western-style capitalism. Most significantly, centrists do not challenge the supremacy of the Communist Party and do not advocate political reform. Observers have placed Raúl Castro and the FAR in this category because of the significant market-oriented policies utilized by the army in its administration of military and civilian businesses. Finally, reformists — who have been scarce in recent years — prefer a more aggressive move toward a market-oriented economy and political liberalization that might allow a loyal opposition to operate, although within the context of the current regime maintaining power. Over the years, several prominent reformists have been ousted from their positions, such as Foreign Minister Roberto Robaina and former Communist Party Secretary Carlos Aldana. A prominent reformer who has remained in power is Carlos Lage, who serves as Secretary of the Council of Ministers and as Vice President on the Council of State. Lage has been responsible for Cuba's limited market-oriented reforms.

In recent years, hardliners have dominated government policy, as demonstrated by Cuba's strong crackdown on dissidents and by the backtracking on some of the limited economic reforms enacted in the 1990s, but some observers maintain that the various divisions within the party will re-emerge once Fidel is no longer on the scene. Moreover, they contend that the prospects of a democratic transition in the long-term could depend on whether the reformers will predominate after Fidel is gone.⁶

Military Government. The scenario of a military-led government is viewed by some observers as a possibility only if a successor communist government fails because of divisiveness or political instability. In this scenario, the military would step in to restore order and control. Absent political instability, it is unlikely that the military would step in to control the government directly since the FAR has had a tradition of deference to civilian control under Cuba's communist government. Moreover, with Raúl Castro heading a communist government, active and retired military officers would likely play significant roles in various ministries and institutions. While a military government is

⁴ "Succession Sí. Transition No," Institute for Cuban and Cuban-American Studies, University of Miami, Staff Report, Issue 64, May 31, 2005.

⁵ Edward Gonzalez, 2002; and Edward Gonzalez, *Cuba, Clearing Perilous Waters?*, RAND, 1996.

⁶ William Leogrande, 2002, p. ii.

unlikely, some observers contend that the FAR, as Cuba's most powerful institution and with a large role in the economy, will play an instrumental role in any transition scenario.

Democratic Government. For many observers, the least likely scenario upon Fidel's death or departure is a democratic or democratic transition government. With a strong totalitarian security apparatus, the Castro government has successfully impeded the development of independent civil society, with only a small and tightly regulated private sector, no independent labor movement, and no unified political opposition. Although Cuba's dissident and human rights movement has grown in recent years, with such movements as the Varela Project and the Assembly to Promote Civil Society receiving international attention, these groups are not widely known in Cuba. In the long run, the work of the dissident and human rights community may play an important role in shaping a future democratic government, but in the short to medium term, it appears that a communist successor government would be far more likely. Unlike Eastern Europe's former communist governments, the Castro government sprang from an indigenous revolution, not one imposed by an outside power.

U.S. Policy Implications

U.S. Policy Tied to Fulfillment of Democratic Conditions. Since the early 1960s, U.S. policy toward Cuba has consisted largely of isolating the communist government of Fidel Castro through comprehensive economic sanctions, including an embargo on trade and financial transactions. The sanctions were made stronger with the enactment of the Cuban Liberty and Democratic Solidarity Act of 1996 (P.L. 104-114), which sets forth a number of conditions for the suspension and ultimate termination of the embargo. For the suspension of the embargo, these conditions require that a transition government: does not include Fidel or Raúl Castro; has legalized all political activity; has released all political prisoners; has dissolved several coercive elements of state security; has made commitments to free and fair elections for a new government in 18 months; has ceased interference with Radio and TV Marti broadcasts; is making demonstrable progress in establishing an independent judiciary, respecting internationally recognized human rights and basic freedoms, and allowing the establishment of independent trade unions and social, economic, and political associations; and has given assurances that it will allow the speedy and efficient distribution of assistance to the Cuban people. The actual termination of the embargo would require additional conditions, including, most significantly, that an elected civilian government is in power.

The dilemma for U.S. policy is that the current legislative conditions just described could tie the hands of policymakers if political change does not unfold swiftly toward a democratic transition. Under the more likely scenario of a future communist government, the U.S. sanctions-based policy would remain in place until these conditions were fulfilled or until legislation was enacted superceding the language of the Cuban Liberty and Democratic Solidarity Act. The conditions could prevent the United States from responding quickly to political change in Cuba or influencing a future communist regime with reformist tendencies. Some argue, however, that it is important for Congress to keep these conditions in place so that the President does not back away from support for democracy in Cuba. At this juncture, as set forth in the legislative conditions, Congress and the Administration essentially agree that change in U.S. sanctions policy toward Cuba will only be precipitated by substantial movement toward democracy.

U.S. Government Preparation. For a number of years, the U.S. government has been making efforts to prepare for a political transition in Cuba. Pursuant to the Cuban Liberty and Democratic Solidarity Act of 1996 (P.L. 104-114, Section 202(g)), the Clinton Administration submitted a report to Congress in January 1997 on “Support for a Democratic Transition in Cuba,” which outlined the assistance that Cuba would likely seek during a democratic transition and ways in which the United States and the international community could provide assistance. The report made broad recommendations regarding potential U.S. support to help Cuba consolidate its democratic political transition and to advance economic recovery and transition.⁷

Since 1997, the U.S. government has provided assistance — primarily through the U.S. Agency for International Development — for projects aimed at promoting a democratic transition in Cuba. Much of the assistance is aimed at supporting the development of an independent civil society in Cuba, but it has also included specific assistance for examining Cuba’s transition. This has included \$3 million in grants since 2002 to fund a Cuba Transition Project at the University of Miami.⁸ The project funds studies examining and making recommendations for Cuba’s reconstruction once the post-Castro transition begins.

More recently, the Bush Administration established an inter-agency Commission for Assistance to a Free Cuba in October 2003 to help plan for Cuba’s transition from communism to democracy, and help identify ways to help bring it about. Chaired by then Secretary of State Colin Powell, the Commission consisted of five working groups focused on: hastening Cuba’s transition; meeting basic human needs; establishing democratic institutions, respect for human rights, rule of law, and justice and reconciliation; establishing the core institutions for a free democracy; and modernizing infrastructure and addressing environmental degradation.

In May 2004, President Bush endorsed the recommendations of a report issued by the Commission, which made recommendations for immediate measures to “hasten the end of Cuba’s dictatorship” as well as longer-term recommendations to help plan for Cuba’s transition from communism to democracy in the various areas covered by the five working groups.⁹ The President directed that up to \$59 million be committed to implement key recommendations of the Commission, including additional support for democracy-building activities and for airborne broadcasts of Radio and TV Marti to Cuba. Some of the report’s most controversial recommendations included a number of measures to tighten economic sanctions on family visits and other categories of travel and on private humanitarian assistance in the form of remittances and gift parcels.¹⁰ Subsequent regulations issued by the Treasury and Commerce Departments in June 2004 implemented these new sanctions. The Commission report stipulated that the assistance to a transition

⁷ “Support for a Democratic Transition in Cuba: Report to the Congress,” U.S. Department of State, January 28, 1997, available at [<http://www.state.gov/www/regions/wha/helmbu.html>]

⁸ See the website of the Cuba Transition Project at [<http://ctp.iccas.miami.edu/main.htm>]

⁹ The full Commission report is on the State Department website at [<http://www.state.gov/p/wha/rt/cuba/commission/2004/>].

¹⁰ For further information, see CRS Report RL31139, *Cuba: U.S. Restrictions on Travel and Remittances*.

government described in the report would be predicated on Cuba's success in fulfilling the democratic conditions set forth in the Cuban Liberty and Democratic Solidarity Act.

In late July 2005, Secretary of State Condoleezza Rice appointed Caleb McCarry as the State Department's new Cuba Transition Coordinator to direct U.S. government "actions in support of a free Cuba." Appointment of the Coordinator, as set forth in the Commission's May 2004 report, is intended to send a signal of the unwillingness of the United States to accept the Cuban government's succession strategy. The Coordinator is tasked with facilitating expanded implementation of democracy projects and regular planning for future transition assistance contingencies.

U.S. government preparations for a Cuba transition have several policy implications. The Cuba Commission's report sets forth a strategy of undermining the Cuban government's succession strategy, and as noted in the report, "the United States rejects the continuation of a communist dictatorship in Cuba." When the report was issued, Assistant Secretary of State for Western Hemisphere Affairs Roger Noriega asserted in public comments that "the United States.....will not accept a succession scenario."¹¹ As noted above, however, the most likely scenario for a post-Fidel Cuba is a successor communist government headed by Raúl Castro. Some observe that open U.S. policy to undermine Cuba's transition process could reduce the likelihood of U.S. influence in a post-Fidel government, and might not be in the best interest of ensuring an orderly and peaceful transition. Moreover, the disruption of an orderly transition could unleash a host of potential problems for the United States, including the possibility of mass migration from Cuba that has occurred in the past during times of economic and political crisis.

Some observers also have questioned the Administration's planning because they believe it attempts to micro-manage the transition by providing the minutiae of what the United States would like to see in a new post-Fidel Cuba. For some, this feeds the Cuban government's rhetoric that the United States wants to take over Cuba, and runs the risk of stirring Cuban nationalism and alienating the Cuban population. For example, the detailed transition plans elicited a negative response from several prominent dissidents such as Oswaldo Payá and Elizardo Sanchez, who maintain that the future transition should be coordinated and run by Cubans. Some dissidents as well as some in the Cuban American community also strongly criticized measures in the Commission's report adopted by the Administration that further restricted family travel and the provision of remittances and gift parcels to Cuba. They judged that these new sanctions hurt the Cuban people, including the dissident community, instead of the Cuban government. Others, however, defended the Administration's action as a means of cutting off a source of financial support for the Cuban government. Legislative efforts to overturn these new sanctions have failed.¹²

¹¹ U.S. Department of State, Report to the President by the Commission for Assistance to a Free Cuba, Remarks by Roger Noriega, Assistant Secretary for Western Hemisphere Affairs, May 6, 2004.

¹² See CRS Report RL31139, *Cuba: U.S. Restrictions on Travel and Remittances*.