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¿Habla Cubano?

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¿Habla Cubano?
Overview of the Cuban Adjustment Act

By George Rodriguez and Vanna Slaughter

Historical Background

Leading up to the Cuban Revolution, 1952 - 1959

In 1952, Fulgencio Batista seized power in Cuba, interrupting a contested national election in which he was predicted to lose. Many Cubans were outraged by Batista's power grab, including a charismatic twenty-six-year-old rising star in Cuban politics, named Fidel Castro. Castro, himself, was running for a seat in the Cuban Congress, and was predicted to win.[1]

An embittered Fidel Castro immediately gathered his supporters, including his brother, Raul to begin planning Batista's downfall from power. On July 26, 1953 Castro and his supporters launched an unsuccessful attack on the army barracks at Moncada, after which Castro and others were arrested and put on trial. Castro used the trial to deliver long compelling speeches berating the Batista dictatorship and calling upon disenfranchised Cubans to revolt. Castro was sentenced to fifteen years in prison.

In May 1955 yielding to international scrutiny, the Batista regime released many political prisoners, including those who had participated in the Moncada assault. Upon release, Castro and his brother went to Mexico, and regrouped with other disaffected Cuban exiles, including Camilo Cienfuegos and famed revolutionary Ernesto "Che" Guevara. They called themselves the "26th of July Movement ", named after the date of the Moncada assault. On October 10, 1956, the group purchased a 60-foot diesel-powered cabin cruiser yacht, named "Granma" in Tuxpan, Veracruz, Mexico.

On December 2, 1956, the yacht (designed to accommodate twelve people) would deliver Castro and eighty-one of his revolutionary followers to the town of Niquero, in southern Cuba, following a treacherous seven-day journey through Caribbean waters.

For the next two years, the July 26th movement took hold in the rural highlands and in the cities throughout Cuba. Castro's rhetoric was magnetic, and support for his movement grew rapidly. Meanwhile, the Batista regime was exposed for its corruption, brutality, and waste, so much so that the U.S. slowly rescinded its support for Batista, in search of a compromise between Batista and Castro. The search for a middle ground failed.

[1] Historians to this day ponder what Cuba might be today, if the 1952 elections not been cancelled by Batista's seizure of power, and if Fidel Castro had been allowed to serve in the Cuban Congress.

On January 1, 1959, recognizing that Castro's victory was inevitable, Batista and a number of his supporters fled Cuba. On January 2, 1959, Cienfuegos and "Che" Guevara and their supporters arrived in Havana and disarmed the remaining military troops. Castro arrived in Havana on January 9, 1959, and within one month, declared himself Prime Minister.

Aftermath of the Cuban Revolution, 1960 - 1965

Following Castro's takeover, he proceeded to implement massive social reforms, including land re-distribution, nationalized healthcare, education programs, programs for the disabled and elderly, infrastructure improvements, and salary increases for low level workers. These measures alienated educated, affluent Cubans with professional credentials, causing thousands of doctors, lawyers, engineers and other professionals to flee Cuba to Florida. The exodus of Cuba's most educated and talented citizens, together with the colossal costs of the social programs, resulted in a dismal economic landscape for Cuba.

In 1960, with the Cold War raging and the Cuban economy deteriorating, Castro brokered a trade arrangement with the Soviet Union that included a $100 million loan. Also in 1960, Castro's government began to aggressively expropriate U.S. privately-owned companies. By the end of 1960, all US businesses had been nationalized without any compensation. In response, the US imposed a trade embargo against Cuba which isolated the island nation and resulted in a further decline in its economy. The trade embargo continues today.

During this period dissent was not tolerated by the Castro government. Supporters of Batista were hunted down and brought to trial. Some, who were deemed to have engaged in torture and murder under the Batista regime were executed.

In September 1965, Castro made the surprising announcement that between October 10, 1965 and November 15, 1965 the port of Camarioca would be opened to anyone wishing to depart Cuba. Thousands of Cubans flocked to the port, knowing that in doing so they were forfeiting any land or property they owned in Cuba. This "boatlift" led to the United States negotiating an agreement with Cuba that would allow for "Freedom Flights" from Cuba to the U.S. An estimated 300,000 Cubans arrived to the U.S. on these flights.

The Cuban Adjustment Act of 1966

During the exodus of Cubans on the "Freedom Flights", the Cuban Adjustment Act (CAA), Public Law No 89-732, 80 Stat 1161, was signed into law by President Lyndon Baines Johnson on November 2, 1966. In consideration of the troubled political relations and the close proximity of Cuba to the U.S., the CAA was enacted as a humanitarian gesture, to provide a pathway to permanent residence for Cubans who have been physically present in the United States for at least one year. The CAA uniquely assumes that all Cuban entrants are political refugees in need of protection, irrespective of their individual experiences in Cuba.

Eligibility. In order to be granted adjustment under the CAA, an applicant must:

(1) Be a native or citizen of Cuba. He or she could be:

- A person who was born in Cuba, and is still a citizen of Cuba;

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