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QI Panel:

Book Talk: Iran's Rise and Rivalry with the U.S. in the Middle East

July 23rd, 2025

2:00 - 3:00 PM ET

Sarang Shidore 0:39

Hello and welcome to this Quincy Institute webinar on Getting to a Pragmatic Cuba Policy for the United States. My name is Sarang Shidore, and I'm the director of the Global South program here at the Quincy Institute. We are a foreign policy think tank based in Washington that researches and advocates a grand strategy of restraint for the United States in the national interest, we aim to promote ideas that move the U.S. away from military interventionism and toward more diplomacy and economic engagement.

The global south program, which I lead at the Quincy Institute, aims to achieve a new bargain between the United States and the meta region stretching from Mexico City to Manila. The program recognizes the global South's instinct for multi alignment and aims to build mutually productive relations in the national interest. The second Trump administration has just released its own Cuba policy. The US has pursued a tough sanctions policy against Cuba for decades, interrupted only by a brief thaw during the second Obama administration. The sanctions policy is highly unpopular in Latin America and the world. It has been voted down in more than 30 United Nations General Assembly resolutions over the past 33 years, the latest such resolution passed with a highly lopsided vote of 187 to two, with only the United States and Israel voting against it. However, the communist government in Havana remains in power. There is no end in sight to the suffering of the Cuban people and waves of refugees from the island nation have roiled US domestic politics. Meanwhile, China and Russia are fishing in troubled waters, looking to deepen their ties with Cuba.

Can we get to a more pragmatic Cuba policy that accounts for what the vital interests of the United States are, while also addressing the humanitarian crisis on the island. How does Cuba fit into the broader US approach towards sanctions over the decades?

A new Quincy Institute brief titled, "U.S.-Cuba relations: A Realist Case for a Pragmatic Engagement", addresses these questions and more. We are privileged today to be joined on the panel by its authors, William or Bill Leogrande and Geoff Thale. So let me start by introducing them. William M Leogrande is a non resident fellow at the Quincy Institute and Associate Vice Provost for the academic affairs, Professor of Government and Dean Emeritus of the School of Public Affairs at American University in Washington, DC. Dr LeoHrande previously served on the staff of the democratic policy committee of the United States Senate and the Democratic caucus Task Force on Central America of the United States House of Representatives. He's the co author of the book back channel to *Cuba, the Hidden History of Negotiations between*

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Washington and Havana, which received the American Academy of diplomacy 2015 Dylan Book Award for the best book on the practice of American diplomacy. His co author on this brief is Geoff Thale, who is the former president of the Washington office on Latin America, or WOLA, a leading research and advocacy organization advancing human rights in the Americas. And founded, and he founded WOLA's Cuba program in 1995, Geoff has been involved in delegations and exchanges between the United States and Cuba. Before his WOLA stint, Geoff was the founder and executive director of the El Salvador Policy Project in Washington DC, which followed the negotiations to end El Salvador's civil war. We are also privileged today to be joined by Joy Gordon. Dr Gordon is the Ignacio Ellacuría, S.J. Chair in Social Ethics at the philosophy department at Loyola University in Chicago. She is an economic sanctions expert, particularly on. Issues of their legality and their humanitarian consequences. Her first book, *Invisible War the United States and the Iraq sanctions* was published by Harvard University Press in 2010 Currently, she is working on an edited volume, *economic sanctions from Havana to Baghdad, legitimacy, accountability and humanitarian consequences*, which I think is already slated for launch. She has also published articles in the *Yale Journal of International Law*, *foreign policy*, and many other outlets. S

o with this distinguished panel that we have today to talk about a very important problem, the United States relations with Cuba, I'm going to start with the authors of the brief, Bill LeoGrande and Geoff Thale. So Bill, Bill and Geoff, first of all, congratulations to both of you on your excellent brief. It's I loved, enjoyed reading it. I was, of course, involved as you were writing it, in terms of just being aware of what you were doing. And it was a pleasure interacting with you during during those weeks. And I also know that the brief was developed over several months of writing and thinking, and it was a process. It included extensive consultations with other foreign policy experts, also with some former US, government officials and so forth. So could you tell us a little bit about, first of all, to set the stage, the background, how this brief came about, and what was the process you undertook to write it and to research it.

William LeoGrande 6:35

Let me talk about, I think, our motivation for doing it, and then I'll hand it off to Geoff to talk about the process that we actually followed. You know, Cuba policy under President Biden seemed frozen. It hadn't really changed very much from what it was under President Trump. And yet, at the same time, the humanitarian situation in Cuba was deteriorating rapidly and dramatically, partly as a result of COVID, partly as a result of Trump's intensified sanctions, and, of course, partly because of the Cuban government's own policy mistakes. The scope of the of the crisis was, was really unprecedented. You know, as you mentioned, you said, a million Cubans have left the island in just the last three years, vast majority of them coming to the United States, aggravating issues of migration across the southern border. But even more than that, we were just convinced that the existing policy was not achieving any of Washington's policy goals.

The Biden administration tried to rationalize it by saying that, well, we're trying to support the Cuban people, but be tough on the Cuban government, as if somehow crippling the Cuban economy by cutting off external sources of foreign exchange was not going to hurt the Cuban

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people. In fact, it hurt the Cuban people more than it hurt the Cuban government and a whole range of other of other US interests in terms of multilateral or by excuse me, bilateral collaboration on issues of mutual interest was deteriorating our ability to compete with global rivals like Russia and China, we were basically sitting on the sidelines while they expanded their presence. And just in general, we weren't achieving much of anything. Democracy wasn't getting better. Human Rights wasn't getting better. So we thought, Well, we really need to for whichever party wins the election in November, either of them could do better than this, and we thought we could make a realist case for a new policy of engagement.

Geoff Thale 8:56

Yeah. I mean, I think that's absolutely right. We certainly started this before the elections was intended to be a brief that would help inform the thinking of whoever might win. We began a pretty broad process of consultation. We talked after sort of an initial set of conversations with Sarang and with the Quincy Institute, you know, we reached out to former State Forum and former and current State Department officials, to US diplomats who worked in the region, to congressional staff, to Cuban Americans who'd been very active on the issue, to a whole range of people, and we did a series of interviews. I think one thing that became clear very early on was that the compelling case to be made was, as Bill said, the realist case. It was the national interest, the National Security case. And while we heard lots of concerns about Cuban American families, about the humanitarian situation that whoever won this election, the frame that made most sense was. To talk about US interests and how a sensible US policy toward Cuba would benefit us national interests. And that's sort of how we developed and framed the piece that finally came out. And that's why what you have in front of you, and what we're here to talk about, is a pragmatic approach to Cuba and a realist frame for thinking about US interests and US relations with Cuba.

Sarang Shidore 10:25

Yeah. Clearly this brief benefited from those conversations, your own thinking, of course, your experience going back so many years that has come through. So staying, staying with you both, just for a few more minutes. I want to, I want to quote from the quote from the opening paragraph of the brief, and it advocates specifically quote, a shift toward a policy of pragmatic engagement aimed ultimately at normalizing relations, not as a favor to the Cuban government, but because engagement better serves the interests of the United States and the Cuban people. Can you tell us more about these key aspects of this high level framing recommendation you have that sort of sits at the top of the entire tree, and if you can stay at the broader level, because we will have time to get into the specifics of this. Yeah, well, Bill, do you want to do you want to start?

William LeoGrande 11:27

Yes, as long as I unmute myself. So you know, supporters of sanctions against Cuba always argue that any relaxation is a gift to the Cuban government, and this was the main line of attack

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against Obama's policy of normalization. But as I was saying earlier, the sanctions policy is really undermining us interests. It's obviously increased pressures for migration. I mean, we have a long history of seeing that when the Cuban economy is doing poorly, migration increases and when sanctions are tougher, and it impacts the Cuban economy, as it has over the last eight years, migration has grown. It opens the door to Russia and China, because the Cubans have to look for any port in a storm. They're really desperate at this point. They they don't have enough foreign exchange earnings to import sufficient food or fuel or medicine. They're having a hard time just keeping the lights on, literally from from day to day. So if Russia and China are willing to reach out and throw them a lifeline, they're going to grab it. You we have had over the years really good cooperation with the Cubans on Counter Narcotics.

And Geoff is really the real expert on this, but the Cuban ability now to continue to cooperate in the way they have in the past is deteriorating because they don't have the fuel to run their patrol boats to help help patrol the the Florida Strait and and finally, this is a policy, as as you indicated at the beginning, sir, that no one else in the world supports, and there are aspects of it that are extra territorial and really alienate, irritate our enemies in Latin America and in Europe, and we can talk about some of those later on here in the program. So you know, this is a policy we've been working we've been trying this policy of sanctions for 63 years, and it hasn't produced any results, whereas engagement in the last two years of the Obama administration produced 22 bilateral agreements on issues of mutual interest, restoration of diplomatic relations and an explosion of cultural and educational exchange. It achieved more in two years than the alternative policy has achieved in more than 60.

Geoff Thale 14:05

The one thing sort of big picture, I would add to that is that a lot of these issues, so migration, Counter Narcotics, coordination, environmental issues, competition with Russia and China, all of those have been issues in the US Cuban relationship for a long time. They're especially critical at this moment, because at a time when the Cuban economy is much more troubled than it's been in the past, probably the most troubled it's been since the early 1990s in the collapse the end of Soviet support, in the collapse of the Soviet Union. At that period, all of these issues become much more serious, not just for Cuba, but for the United States. So migration has long been an issue, but when 10% of the population is migrating in a two to three year period, that's a really serious challenge for us, and particularly a challenge. The administration that cease migration is critical needs to confront similarly, for an administration that takes drug trafficking and fentanyl production and Mexico and Latin America's role and all of that is as important as especially important and related to serious domestic concerns, Cuba's role as a bulwark, in some sense, against drug trafficking in the Caribbean all of a sudden, is much more important at a time when Cuba's capacity to do it, because the economy is potentially much worse. And so that kind of leaves the big question, which I think the report poses, is it in the national interest of the United States to have a Cuban state that's practically failed and can't play a useful role in addressing those issues which are concerned to the US. And those are the kinds of issues I think the report lays out.

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Sarang Shidore 15:48

Yeah, and you mentioned 10% migration, and that's mainly young people, right? So you're in terms of the productive capacity of the country, you're losing more than 10% yes, yeah. So we'll get, we'll get to migration in a bit. But I was struck by the number bill that you mentioned. And you can and the math, the math tells you that that is 63 years of sanctions. That's a long sanctions policy. And we have here the expert on sanctions, Dr Joy Gordon, who can actually tell us about this more. So I'm going to turn to you, Joy and ask you that if you could, sort of for our viewers, and including myself, but really, certainly, somehow younger viewers take us back into the origins of US sanctions policy toward the world, really. So Cuba is not the isolate, an isolated case. There are many other examples. There's a history here. Could you? Could you tell us a bit more about that history and share that with us?

Joy Gordon 16:48

Sure, what I'll do is sort of hit what I think are the major nodes of the of the US Cuba sanctions policy. So the US has had sanctions of various sorts against Cuba since immediately after the Cuban Revolution, there had been a sugar quota that was eliminated right away, and then, under the trading with the enemy act and some other sources, the US imposed sanctions on Cuba, really from the very beginning, it did not have a terribly destructive impact, simply because Cuba, a few years later, developed trade relations with the Soviet Union and the Eastern Bloc, and so the sanctions were not as damaging as they as They might have been, or certainly as they became in the immediate aftermath of the Cold War, once the Soviet Union had disintegrated and Cuba loses 80 90% of its trade with the Eastern Bloc, that triggered an immediate economic crisis in the country.

And it was really right about that same time that the US then adopted two major pieces of legislation in 92 and in 96 the Torricelli bill and the Helms Burton Act, which then exacerbated the sanctions enormously, so. So the first one well, so the two of them combined, I'll just sort of identify the major pieces of them. And really what they did is they mapped on, in a very direct way, to all of the major sectors of the Cuban economy. So it wasn't generic, it wasn't random, it wasn't apparently comprehensive, but it was targeted in the sense of looking for what are the most critical functions, what are the most critical sectors of the economy, and how do you do the greatest damage to each of those? So one is a shipping rule on any ship, the ports, the docks in Cuba cannot enter US port for within six months. So it's a country that's entirely dependent on shipping for imports and exports and the and the risk to any company that does that is not only the loss of their cargo, but the loss of the ship.

Another one is that the US treats foreign subsidiaries as, I'm sorry, foreign companies. Let me get this right, foreign subsidiaries of US companies as US persons. So that had not been the case actually, prior during the Cold War, and so Cuba did quite a lot of trade with companies that were owned by US companies. But this cuts down their commercial their access to commercial space enormously, and it also triggers one of the most severe reactions, because it's viewed by the international community, because that's viewed as extraterritorial countries

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generally deemed to have the right. To have jurisdiction over its own companies, over its own nationals, over events that happen in its own territory. But the nationality of a company is generally deemed to be its place of incorporation, not who owns it, and so for the US to be prohibiting foreign companies that are registered in other countries from doing trade with Cuba triggered quite a bit of outrage in the international community, and then it also undermined one of Cuba's most significant responses to the economic crisis, known as the Special Period, which is to rebuild a new set of trade partners across in Latin America, Europe and Asia.

These bills also targeted the biotech sector, something that was a burgeoning area of the Cuban economy, but also something that really showed off their their particular strengths. They had a very, a very strong scientific infrastructure, and the biotech industry was was a demonstration of that even trace amounts of Cuban materials that were exported to other foreign countries couldn't those goods made with those could not be exported to the US in turn. So sugar and nickel two of Cuba's major exports, if they were exported to, let's say, a Brazilian company that then makes candy or stainless steel that cannot be exported to the US upon the risk of being expelled from the US market. And foreign investment, so a foreign investor that makes use a property, or buys property or builds a hotel or a tourist resort in Cuba, if it's on property that had been owned by a Cuban person or entity that is now a US entity there that US entity now can bring an action against any foreign company, let's say an Italian company that is is using that property. So it's known as Title Three. That also triggered a great deal outrage from the international community. So by the late 90s, Cuba starting to pull out of the economic crisis the US, the next statue is called the TSRA, the Trade Sanctions Reform and Export Enhancement Act.

One of the things that that does do is that allows US companies to sell agricultural and medical goods to Cuba, on on on negative terms, on disadvantageous terms. So Cuba has to pay cash, and it has to pay in advance. Nonetheless, Cuba does a great deal of business in agricultural imports, so much so that the US is actually, ironically, one of Cuba's major, major trade partners. Next I think it's not often recognized, but I would say in about 2012 2013 so under the Obama administration, it was not specifically related to Cuba, but the penalties that the US Treasury Department was imposing jumped massively for sanctions violations. They went from penalties in the hundreds of 1000s or the low millions to penalties in the hundreds of millions or the billions. So then that changes. So there was a, famously, a \$9 billion penalty against BNP Paribas, \$2 billion penalty against HSBC, \$600 million against the Dutch bank, ing.

So what that does is it alters the risk assessment of the international community, so that any company that is thinking, well, Cuba is a good market for us. It's worth it for us to risk a penalty of \$100,000 but it is surely not worth it to risk a penalty of \$2 billion so even though it's not labeled as a as a particular moment in the sanctions history, it really alters the sanctions landscape quite a bit, as as it was mentioned before, the Obama administration normalizes relations with Cuba in some ways, but other ways it doesn't. It's, it should be noted that although a lot of the discretionary measures that were available to the executive branch to change were lifted. Diplomatic relations were resumed, and so on. The Obama administration continued to impose very heavy penalties on foreign companies that were doing business in Cuba that did

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not relent at all. What did relent, what the administration did relent on was licenses for US companies. So I think that can be seen. It's often framed as a normalization of relations with Cuba, but I think it also has to be seen as a way of carving out commercial opportunities for us, business, specifically in that case.

Yes, the two Trump administrations did significant damage. The first Trump administration in particular, I would say, if I were going to identify two the most significant things, one was measures that undermined Cuba's fuel imports and the reinstating of Title Three, which was the ability to sue foreign entities that are engaged in trade or investment in Cuba, and then the second Trump administration immediately put Cuba back on the State Sponsors of Terrorism list. Family remittances were reduced. All of these things then result in increased pressure on Cuba, which is already, which was already in crisis. And I think this, you cannot overstate the magnitude of the damage of this. It's it's not just that there's migration. It's that the infrastructure is, is on, is almost beyond repair, and is visibly sort of collapsing, as others have mentioned, power outages are frequent. Again, you can't overstate how disruptive and harmful This is. If you think about people who live in a 15 story building, having to go up 15 flights of stairs every power outage and in complete dark because there's also no light, the lack of transportation undermines people getting to work, but also undermines distribution of food. Again, you cannot overstate the severity of this moment in this crisis, and the particular ways that that harm has been just tremendously exacerbated by the sanctions.

Sarang Shidore 26:45

Yeah, indeed, this is a very grim situation. I want to let all our viewers know that you can drop your questions on chat. We are already getting some, but please drop them soon, because quite soon. I'm going to get to them, and I'm going to pick one or two. So if you want to make the cut, please drop your questions early. I had a sort of a, you know, on the spot, thought on this joy, and the rest of you that if the situation is so bad. You know, the one motivation of sanctions is that we can get Cuban society to revolt against the communist dictatorship, overthrow it, bring democracy, not through US troops, but by the Cuban people, who the assumption is hate their government, and then we will have normal relations, just as Donald Trump removed sanctions on Syria after the change of government. There is that? Is that something that's realistic, if the situation is this bad, could we get to a point, within months, or just a few years, where we actually get a people's revolt in Cuba, different government. And I think some people in the US would say, would be a democratic government. We don't know that. And then that way, suddenly everything gets normalized. And then, yeah, there's a period of pain, but then eventually there's a way out of the maze. Is that even realistic, or something we should we should consider in our analysis?

William LeoGrande 28:21

I think it's highly unlikely. It's worth pointing out that that US government officials have predict, have been predicting that imminent demise of the Cuban government since the fall of 1959 over and over and over again they predicted. It's true that today, there is very broad popular

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discontent on the island and and, of course, that's part of the reason for the enormous Exodus that we've seen. But there are, for a variety of reasons, not much opportunity for opponents to really mobilize a movement against the government. First of all, any attempt to actually organize an opposition attracts the attention of the security police, who are quite efficient. And leaders of such opposition movements end up either in jail or being forced into exile. And so most of the people who have been leaders, or, you know, tried to be leaders of internal opposition movements are now living in either Miami or Madrid, so the opposition just doesn't have an organizational infrastructure. There are no what we political scientists call independent power centers around which an opposition movement can coalesce.

The other thing is that within the regime itself, there's still pretty high cohesion among the political elite. There are big disagreements, I think, around economic policy, but around politics, I. They are held together in part by the hostility of the United States, because they realize, if they don't hang together, they will all hang separately, and so US policy has, you know, in a perverse sense, helped to provide the glue that holds the political leadership together. Finally, I would say, if you were to get sort of massive social upheaval, spontaneous, uncoordinated, unorganized, but still really widespread, the most likely outcome is that the military would step in, because the military is arguably the most efficient institution on the island and has significant economic interest in the status quo. And so they would not be the ones standing by to let society fail, and they would not be the people who would suddenly bring you multi party democracy.

Sarang Shidore 31:00

So, so, in other words, a Prague, a new Prague Spring, is not around the corner that we just need to give it a little bit of a push. And hey, prospect, we are in a democratic Cuba with Vaclav Havel of Cuban Vaclav as president. Okay, right. Joy, I wanted to come back to you and ask you about the sanctions aspect, I think you laid out very well the the details of this, because I think most of us don't realize how many elements there. It's not just a sanctions against Cuba. There are all these extra territorial sanctions against third third parties and entities that can really strangle normal economic life in Cuba. And you laid that out, but I was reading the speech of the US delegate at the UN when the UN G I took that vote, and the claim was made that I'm going to quote from that I'm going to quote from that speech, "The United States sanctions include exemptions relating to exports of food, medicine and other basic goods to the island country". Is that? Is that correct? Is that only correct? Theoretically, technically, is it not correct? Well, what are the what are the complexities of that claim?

Joy Gordon 32:14

So, um, so I would say a couple things about the exemptions. I think the eight. It is correct that food sales are allowed under the TSRA, and those are robust. Medical sales are theoretically permitted, but the amount of paperwork and the arbitrariness of the licensing process is so burdensome and unpredictable, that in practice, there's there's very little medical sales to Cuba under the TSRA, there's a set of exemptions that were adopted in December of 22 by the

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Treasury Department, broadly across its sanctions regimes to a great deal of fanfare, a lot of verbiage, I would say, about how humane and concerned the Treasury Department is, and so on. So I would say those actually in 2023 I did a specific study on that in Cuba to see how have humanitarian imports increased since those measures were adopted in late 2022 and the answer is not at all. And that's because, even though, in principle, these are the humanitarian exemptions are present, there are other factors that make them unusable. So I'll mention the inclusion on the State Sponsors of Terrorism list, any country that's on the SST list, any bank regulator, the newer banking regulators, for example, will simply flatly prohibit any transactions of any sort to a country that's on the SST list.

And so let's say you are an educational nonprofit in the US, and you want to bring educational goods to Cuba, you will not find a bank that will permit that transaction. So even though they are permitted in principle under the humanitarian exemptions that were adopted in December 2022 in practice, because of the SST listing, it's it's simply often unusable. I think the way to think about that is, is as a kind of the theater of humanitarian exemptions that is really much more concerned with image and damage control and sort of deflecting accusations of insensitivity while keeping in place all of the structural and the procedural infrastructure to um. That ensures that there, there cannot be significant humanitarian flows.

William LeoGrande 35:06

Can I just jump in and say, you know, it's really, it's really disingenuous for US official to say, Oh, well, you know, we allow the sale of food and medicine when all of U.S. policy is designed to prevent Cuba from having the money to buy it.

Sarang Shidore 35:25

Yeah, so as a practical matter, really, that is not operational for the most part, is is for various reasons, including the fact that they don't have money to do so thanks to some of the sanctions. I wanted to Well, before I get to an audience question, I was turning to you, Bill, in your brief, in yours and Jeff's brief, both of you say that US sanctions policy on Cuba. Quote, remains in place by dint of inertia rather than any rational calculation of interest. Unquote. I thought that was a pretty important statement, because it sort of telescoped. What's going on here? There's a kind of a train that left the station decades ago that's running at high speed, and there is not a counter assessment of interest that is being engaged to see what we can do with that high speed train.

Now we did have an opportunity, because three weeks back, the Trump administration released its own Cuba policy the second Trump administration. So putting those two things together, your statement there and as well as a new policy, how would you characterize a new announcement from the Trump administration? Do you see this as continuing evidence of sort of this inertia? Just put out a document, just like the old few, few tweaks. Or do you see some kind of a proactive zeal, let's go even harder on Cuba? Or do you see some hints of hope that there is some engagement with some aspects, that there could be a thought of some sorts?

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William LeoGrande 37:00

Well, it's the new the new National Security Presidential memorandum that lays out Trump's Cuba policy really is just a restatement with a couple of, as you say, a couple of minor language changes, a restatement of the document that Trump issued it at the beginning of his first administration in 2017 so it reaffirms a policy of hostility and regime change, which is unfortunate, but it doesn't include any significant new sanctions which surprised people. I mean, I surprised me. As matter of fact, I thought if Trump was going to go back to his previous policy, it would be the harsher maximum pressure policy of 2019 that was, you know, crafted by John Bolton and Mike Pompeo, neither of whom are on very good terms with the President. So that may be the reason he didn't go back to their policies. So this does not signal a really major new initiative to try to collapse the Cuban government, because the sanctions that are are referenced in the new memorandum are already in place by and large, because Joe Biden never really relaxed them, and the ones that he did relax, the Trump administration reversed on January 20, on inauguration day.

There have been a number of sort of, one off, ad hoc kinds of measures taken against Cuba in the first six months of the administration. And I don't mean to downplay them as insignificant, but up until this memorandum, there was no comprehensive statement of policy. Now there is, and it's just the same old policy, I think part of what's going on here is that there's an America First wing of the Maga movement, that it's not in favor of the United States getting even more entangled in Cuba, and that a social collapse in Cuba would create a whole new migration crisis and Other problems for the United States, Tucker Carlson was speaking to the turning point convention, and just a couple of weeks ago, and somebody asked him a question about Cuba, and he went on for several minutes about how the Cuban embargo made no sense. It wasn't working, it wasn't achieving anything. Which I have to admit, surprised me that he took that position. But I think there are. There are also, there are suggestions that there are also people in the administration who are pushing back on Marco Rubio's efforts to try to pursue a more aggressive policy.

Sarang Shidore 39:34

Right? Indeed, if you want to regulate migration more, then it doesn't make sense for Cuba to collapse, because in that chaos, even if there's democracy at the end of that tunnel, there's going to be months of chaos and folks fleeing from that, maybe violence, even internally, crime and so forth. So it's logical for some of the core supporters of the President to say, Wait a minute. Are we getting this right from our perspective of America first? So. And I think it's worth watching this space. We may, perhaps we see some interesting things there.

Geoff Thale 40:09

Please, yeah, yeah, just to say on that quickly. I mean, the Pentagon has long apart from the State Department. And you know, for the perspective of the Pentagon and US national security and defense interests, has long been concerned more than anything else about instability on the

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island that would lead to my enormous migration flows the United States, and probably since the 1990s have been a voice, relatively speaking, for moderation in us approach, in the US approach, specifically because they have a national security sort of framework on this. And kind of to your point, and what Bill was just saying, I mean, the Trump administration has come in. There are clearly sectors of that administration that are trying to rethink pretty fundamental aspects of US foreign policy.

And I think part of the argument we're making here is that Cuba ought to be a piece of that, and that rather than gliding along on the inertia we see, and rather than doubling down, as you know, some sectors of the administration want to do, it might be time to step back and say, from the point of view of US national interests, what makes sense? And I think the answers the brief lays out is a move toward normal reductions in sanctions and eventual normalization.

William LeoGrande 41:27

Yeah, yeah, sure, yeah. Trump. Trump has articulated four basic goals for the Western Hemisphere: control migration, limit the influence of Russia and China, counter narcotics, and access to strategic minerals. A policy of engagement with Cuba would advance all four of those priorities.

Sarang Shidore 41:50

That's very important point. I think I'm going to, I'm going to actually turn to a audience question that goes, that's for joy. And this is Lubna Qureshi asking the question that we had a history of sanctions against South Africa in the 80s, and that apparently worked, because we did get a transition in South Africa that was peaceful, stable, led to a better South Africa, more open, democratic and prosperous South Africa. So why? How do you compare that experience with the one against Cuba? Are there lessons there for us to apply to the Cuba example? Why did that work? And this isn't essentially so?

Joy Gordon 42:34

So let me start by putting the South Africa case in the broader context of sanctions practice. So it is, it is often, often, often been used as evidence that quote, unquote sanctions can work as though there's something typical or or generalizable about the South Africa case. But it seems to me, it's not typical. It's quite the opposite. It's quite anomalous. And it's anomalous in a very specific regard, which is that the call for sanctions came from within the country, by those players that were seeking to achieve democracy within the country, Desmond Tutu, Nelson, Mandela, trade unions, churches and so on. They were the ones in in response to or in conjunction with internal efforts toward a democracy that then called upon the international community to engage in Boycott Divestment and so on, in solidarity with their efforts that they were leading following their national priorities.

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So that's quite different than the way sanctions are typically imposed, which is, they are imposed outside by an entity that is either doing it in a punitive posture. You have invaded another country. We're going to sanction you for that. Or in a, an ostensibly benevolent, and let me call it a, a pseudo benevolent posture, which is to say, on behalf of the human of the human rights of the Cuban people, or on behalf of the the need for democracy in this country. We hereby impose these sanctions against the country in your own interest, on your behalf, sort of, and if those who are harmed by it are not consenting, we can impute consent, or they ought to consent, or something of that sort, because it is in their interest. So those are the cases that that that we know fail.

And if we look at the major databases, like economic sanctions reconsidered. You know, the when economic sanctions reconsidered came out in the 80s, and the and their estimate was in about a third of the case of sanctions succeed in in achieving the compliance of the target state. Famously, Robert Pape, later on, in the late 90s, said, You. You know, you've really miscalculated in many of these cases. And if you take out the cases that are that are not over determined and so on, the number the likelihood drops to something like 3% which is more or less the South Africa case. So sanctions have a remarkably low likelihood of success for all the reasons that everyone talks about. It's very different to if I say to you, I ask you, in my name, on my interest, as I define my interest, to assist me in something that is going to cause me harm the short term, but I think, in my view, it will help my interest in the long term, that's very different than if you, if you say to me, we're, we're just going to cut off all the all the food and water to your entire household, and say that it's, you know, so that things will erupt, or so the pressure will be so great that things will ultimately and you're to to your benefit as we tell you we Define your benefit.

Well, of course, that doesn't work, right? Johan Galtung called it, you know, the the rally around the flag effect. What will you do? Well, you will protect your own who you may or may not like, but you will protect your own against what is increasingly viewed as an external aggressor. So I, so I, you know, that's certainly what we see in Cuba. As as Jeff and Bill have said, you know, the greater the aggression, or the greater the perceived aggression against Cuba, the more the people will rally around the state, the more that the state consolidates power. We know this. This is, this is just how countries respond. And the last thing I want to notice in the specific case of Cuba. You know, if you go back looking at the last 3030 years, 35 years, I view the Cuban states. The Cuban state is not monolithic, but as that needs to be understood in terms of plate tectonics, and that you see moments of openings, and then you see moments of contraction politically and economically and internationally.

And if you map these out, it's really quite, quite clear that many of them simply map on to US policy when US policy is more respectful, more restrained, more you know, more collegial, in a sense, less aggressive. There is more space within Cuba, politically and economically, the more aggression, the more assertive, the more the more virulent the US sanctions. The less space there is in Cuba for many, many reasons. And you really can just, you can just map the two out, and you can just sort of see them. I don't know if Bill and Jeff would agree with that.

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Geoff Thale 47:51

Yeah. I mean, absolutely, I think Bill and I have written about this before. I mean, there is a the greater the pressure, external pressure on Cuba and on the Cuban government, the less likely internal debate will be permitted, and conversely, as pressure lowers, internal space increases, and none of that is to say during the Obama administration, Cuba became a liberal democracy, but it's clear that more debate occurred. Civil society grew, the private sector began to play a bigger role, and so on. And, you know, repression, in the Cuban case, at least, repression is pretty clearly linked to external pressure, is pretty linked to internal repression and regime type. And that's unfortunate. And you know, given that our policy has long been articulated as one about defending human rights, it's, in fact, not eating that at all.

Sarang Shidore 48:49

Yeah, so I'm going to stay with that last point of yours, Jeff, and ask you sort of a question in two parts. One is human rights, which you mentioned right. It's long been, ah, since the 70s, an article of faith in Washington that the United States should promote human rights and democracy around the world. And then, of course, we have seen some things through the 90s and naughties and the last decade where the United States, ah, either did not live up to those standards, or actually use that as an excuse, I would say, in Iraq in 2003 to achieve regime change for other purposes. And now that's widely understood to be at least a mistake across the spectrum. In Washington, now there's a there's some learning on that. So do, does the US have credibility when it goes to countries and tell them become, you know, find a Thomas Jefferson and inaugurate your constitution based on our Constitution.

Geoff Thale 49:58

Right? So I a two part answer to. Your question. I mean, I don't think the United States should abandon a commitment to advancing human rights as part of its foreign policy. The question is how and under what circumstances it exercises that influence, and how that interacts with other factors. So that's the first part, and in the Cuba specific case, I think the United States, which has long raised concerns about human rights, should continue to talk about that with the Cuban government in a serious way. No question. That's different from implying applying a comprehensive embargo on the country and increasing the pressure, which I think all the evidence suggests, does the opposite of what we alleged claim to be interested, interesting on the broader question. I mean, you're absolutely right, U.S. credibility on all of these issues, human rights, democracy and so on. You know, has been under challenge since the 1980s and Central America issues, and kind of that challenge accelerated with the global war on terror, with the war in Iraq, with all the talk about regime change in Iraq and Afghanistan and the failures of all that.

So I think the US needs to be very like I say. I don't think we should abandon these concerns. We need to be the US needs to be modest about it, and needs to think how it rebuilds any credibility it has. And I think strikingly, the only time I can think of what the United States got a

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unanimous standing ovation at the UN was when it abstained from a vote to what it abstained from voting to sustain the US embargo. And I think that's a measure of where we are in our international credibility on this issue and what it would take to rebuild it, right?

Sarang Shidore 51:46

So, So, Bill, I have a question for you on on Russia and China. This is something that comes up quite a lot about Russia and China fishing in troubled waters. First of all, how serious is this situation? Are the Cubans really turning to Russia and China in a strategic way? And second, what are your recommendations in your own work, in your brief to ensure that, assuming that this is undesirable, which most of Washington doesn't want, enhanced Russian and Chinese influence in that region, how do we best counter that based on your your briefs findings.

William LeoGrande 52:23

there's no doubt that Russia and China are both trying to take advantage of the opening that they see in Cuba. The Russians have been probably the most active providing various kinds of Emergency Economic Assistance, food, medicine, oil to cushion the humanitarian crisis, they have agreed upon what they call a strategic partnership with Cuba that also involves some limited military cooperation. I think Putin sees Cuba as a strategic outpost in a kind of a geopolitical sense, you know, showing the united states that if it's going to mess around in his near abroad, he can mess around in ours, but the Russians don't really have the serious amounts of investment capital that Cuba would need to really jump start their economy. They're not going to go back to the old Soviet model of providing \$3 billion a day in economic assistance. China's relationship with Cuba has been more commercial. They have also been providing emergency economic assistance. They're providing solar panels to help solve the energy crisis, but before the Chinese weigh in with really major investments, they're waiting for the Cubans to carry through on promised economic reforms, to move essentially toward a Chinese model of a mixed socialist economy. The Cubans have been reluctant to do that for a whole wide variety of reasons that we could get into if we have more time.

But last year, we saw some reporting about increasing military and intelligence cooperation between Cuba and China. I think the press reports were exaggerated, but it also does not surprise me that China would be interested in that as it expands its its global footprint and particularly its role in Latin America, Cuba is desperate to get assistance. Economic relations with the United States are much more beneficial to Cuba than economic relations with Russia or China. We are 90 miles away. Most of the tourists that go to the Caribbean come from the United States, not from Russia or China. Most of the direct foreign investment in the Caribbean is from the United States, not from these other countries. And so in the long run, Cuba's interest is much more aligned. Aligned economically with the with the United States than it is with these other countries. But right now, the door to the United States is closed, right?

Sarang Shidore 55:09

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Right? I'm going to ask Joy a question on this shift that I see looking at the Trump administration's overall approach, where it doesn't like a policy of a foreign government. It's not saying we are going to put financial sanctions. Maybe they sound that, but predominantly it's saying we're going to put tariffs on your trade. So there seems to be this preference for tariffs over the older style financial sanctions, leveraging the dollar and so forth. Is that something that you're also seeing and again, does that give us an opening on Cuba, or is it actually worse for Cuba relations?

Joy Gordon 55:49

So generally, tariffs are understood to be somewhat different than sanctions, or the terms are used in different context. Tariffs are usually...

Sarang Shidore 55:58

That's what I that's what I meant that we are sort of moving, instead of doing sanctions, the old style we are. We are imposing trade measures which are different. So, yeah, please go on.

Joy Gordon 56:10

Sanctions are generally understood to have political goals, sort of economic measures for political goals, as opposed to tariffs that are trade measures for trade measures for trade goals. I don't know that the tariffs are specifically going to affect Cuba at this point in the context of sanctions. I do want to say one thing about the way the sanctions work, which is not well understood and is enormously significant, which is that the US measures so we So so far, everything we've talked about today are the things that are written and clear and explicit. There are these statutes, there are these regulations, there are these explicit policies, but the policy that is not said explicitly is to create the conditions that compel countries to withdraw from the market, very specifically, our regulations, our sanctions regulations, are irreducibly ambiguous. The due diligence requirement that companies have to abide by is just irreducibly unclear. The penalties are then catastrophic, billions of dollars of penalties.

And when you have those two conditions, those then commercially compel countries to withdraw from the whole market. And the term used is over compliance. So it's not just from the things that are clearly prohibited, it's from everything, including things that are ostensibly legal, and that there's no fixing that, because you can't even identify. You can't sort of put your finger on it. And so what that means is, when Cuba goes to a country to get any kind of investment, it will think or any, any, well, any company, they will, or a bank to do perfectly legal transactions for their own legitimate national commercial needs, nothing to do with the military. Any bank will, if it, if it does business in dollars, will go through the following risk assessment, they will say, Well, maybe this is legal, but then again, maybe these funds will be used by the next door neighbor of the dog walker, of the brother in law of the third cousin of someone who we have blacklisted, the US has blacklisted, and then we will be looking at half a billion dollars in penalties.

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So then the result is Cuba's access to global commercial space, global logistics, space shipping insurance, and so on and so on. It's just deeply compromised well beyond what's explicit, well beyond what's extra territorial, in a in a clear way, and simply makes, creates global fear of having any kind of engagement with the country, and and, and, and there's, again, no fixing that, because you can't just, you can't say, Well, there's a license, there's a general license, because these are cases where there is a general license and there's still this fear. And I think it just needs to be understood that that's the dimension of sanctions which is not visible, for which actual responsibility cannot be explicitly or clearly identified with the Treasury Department or US policy, but the consequences of which are just vast.

Sarang Shidore 59:49

Yeah, that's an excellent point about all these sort of shadow aspects of sanctions that are pretty lethal as well. We are almost out of time, but we have time for. One more question. I'm going to combine question from two viewers, two questions there that kind of are the same thing. John Walsh and Terry McCoy both want to essentially understand, where are the American people on all this? And I think Bill, you wrote a brief for us on this last year. So I think you might be the best person to take take this one on.

William LeoGrande 1:00:23

I did, of course, of course, opinion differs across different constituencies, but the American public in general has been opposed to the US embargo for years, since, almost since the 1970s you know, Gallup. Polling shows that the American public doesn't see Cuba as a friend of the United States, but the idea of sanctions has been unpopular for a really long time. It's also been unpopular among foreign policy elites. There have been a number of polls done of foreign policy elites, and they say the same thing. So there's sort of broad public opposition to sanctions against Cuba during the Obama period, there was a lot of polling done about people's support for restoring diplomatic relations, getting rid of the embargo and so on and so on. All these things were very popular, even among Republicans. But there's one constituency that has been consistently, although not entirely, opposed to more engagement with Cuba.

And of course, it's Cuban Americans, specifically the Cuban American community in South Florida. And because Florida has been historically, at least an important state in US presidential elections, potentially a swing state from about circa 1992 up until the last couple of elections, politicians from both parties were solicitous of that Cuban American constituency, which is a substantial proportion of the Florida electorate, and so They were afraid to actually take any bold steps on Cuba, it was just easier not to do anything, and that's part of the reason that there was that kind of inertia. Over the years, the Cuban American community moved in a more moderate direction, until Donald Trump came to office at the end of Obama, a majority of Cuban Americans in South Florida were in favor of lifting the embargo, but Donald Trump's tough line policy and promise that he was going to overthrow the Cuban government, and, you know, finally, they were going to be able to go back and get their property back. He actually said that

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on a couple of occasions that really sort of re energized the more conservative wing of the community.

And then you have the toxicity of social media. And recent arrivals who are coming are very disenchanted with the Cuban government, very hostile to the Cuban government, all the people that have come in in the last couple of years, and now Cuban American opinion has shifted back again in a more conservative direction. Florida, however, is no longer a swing state in presidential elections, and it's not likely to be one anytime in the immediate in the immediate future. So for politicians who think a new policy towards Cuba makes some sense, the domestic political obstacle to it is less than it used to be.

Sarang Shidore 1:03:22

So some possibilities here that I think we sketched out amidst all the difficulties of the relationship for decades, there may be some hope in terms of at least some of the priorities of America first, there may be some hope in some of the polling or the opinions of the American people. There are also business opportunities. We didn't quite get to that in this conversation, but to know more about that, and in fact, a lot more specific recommendations, specific types of analyzes, please read the brief. It's it's really, really good. I couldn't recommend it more strongly.

And also do read Bill LeoGrande's earlier work with the Quincy Institute on the domestic precisely on the domestic question of support or opposition to Cuba policy that he published with us last year. So and follow us. We have many such webinars the global south program included. Read our briefs, check out our website and our online publication, responsible statecraft. If you haven't, it's the best in the business, and we hope to see you again, all three of you. Thank you so much for being a part of this conversation. Thanks again to you, Jeff and Bill, for the brief and joy for your many insights on sanctions today. And I believe this conversation will continue and we will be back again.