# Sanctioning Faith: Religion, State, and U.S.-Cuban Relations *Jill I. Goldenziel*•

#### ABSTRACT

Fidel Castro's government actively suppressed religion in Cuba for decades. Yet in recent years Cuba has experienced a dramatic flourishing of religious life. Since the fall of the Soviet Union, the Cuban government has increased religious liberty by opening political space for religious belief and practice. In 1991, the Cuban Communist Party removed atheism as a prerequisite for membership. One year later, Cuba amended its constitution to deem itself a secular state rather than an atheist state. Since that time, religious life in Cuba has grown exponentially. All religious denominations, from the Catholic Church to the Afro-Cuban religious societies to the Jewish and Muslim communities, report increased participation in religious rites. Religious social services to Cubans of all religious faiths. These religious institutions are assisted by groups from the United States traveling legally to Cuba on religious visas and carrying vital medicine, aid, and religious paraphernalia.

What explains the Cuban government's sudden accommodation of religion? Drawing on original field research in Havana, I argue that the Cuban government has strategically increased religious liberty for political gain. Loopholes in U.S. sanctions policies have allowed aid to flow into Cuba from the United States via religious groups, tying Cuba's religious marketplace to its emerging economic markets. The Cuban government has learned from the experience of similar religious awakenings in post-Communist states in Eastern Europe and has shrewdly managed the workings of religious organizations while permitting individual spiritual revival. By allowing greater public expression of religious faith, the Cuban government has opened the door to religious pluralism on the island while

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closely monitoring religious groups to prevent political opposition. As the Obama Administration has already begun to ease U.S. sanctions on Cuba, these recent changes in Cuban law may allow the U.S. to promote political change in Cuba through religious civil society institutions

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#### I. INTRODUCTION

The Cuban Revolution drastically impacted the relationship between Cubans and organized religion. Fidel Castro's government actively suppressed religious life for decades and silenced the oppositional voices of religious groups, particularly the Catholic Church. Yet in recent years Cuba has experienced a dramatic growth in its public religious life. Since the fall of the Soviet Union, the Cuban government has increasingly opened space for religious belief and practice. In 1991, the Cuban Communist Party removed atheism as a prerequisite for membership. The next year. Cuba amended its constitution and pronounced itself a secular state rather than an atheist state. Since that time, religious denominations popular before the revolution, such as Catholicism, Afro-Cuban religions, and Judaism, have experienced a renaissance. Religious groups new to Cuba, such as Buddhism<sup>1</sup> and Russian Orthodoxy,<sup>2</sup> have also emerged on These religious groups provide spiritual and material the island.

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<sup>&</sup>lt;sup>1</sup> The Spirit of Cuba, http://www.sgiquarterly.org/border2007Apr-1.html (last visited Sept. 16,

<sup>2009).</sup> <sup>2</sup> Cuba's First Russian Orthodox Cathedral Opens, ABC NEWS, Oct. 19, 2008, available at http://abcnews.go.com/International/wireStory?id=6066825 (last visited Sept. 14, 2009).

sustenance to Cubans, often assisted by groups from the United States who obtain religious visas to travel to Cuba from the Office of Foreign Assets Control.

What suddenly motivates an atheist state to tolerate religion? In this paper, I argue that Cuba changed its constitution to exploit U.S. regulations that allow economic aid to flow into the island via religious groups. While seemingly increasing constitutional freedoms, the Cuban government has actually used religion to increase its own political strength. By softening its anti-religious stance, the Cuban government has opened its tightly controlled spiritual and economic marketplaces in the wake of its economic crisis caused by the collapse of the Soviet Union. At the same time, the Cuban state has bolstered its own power by stifling political opposition by religious groups, thus countering the feared ideological influence that accompanies U.S. co-religionists beyond the embargo.

Due to political tensions between Cuba and the United States, recent academic scholarship on religion and politics in Cuba is scarce. The difficulty of obtaining research permits and the lack of academic libraries, Internet access, and other basic elements of research infrastructure make social science research in Cuba prohibitive for many. A grant from the David Rockefeller Center for Latin American Studies at Harvard University enabled me to conduct original field research in Havana in 2007 and 2008 for this project, including qualitative interviews with religious, political, and academic figures in Cuba and access to documents previously unavailable in the United States. To protect those who assisted in my research, some names of interviewees have been withheld.

#### II. RELIGIOUS LIBERTY FOR ECONOMIC GAIN

Why would a socialist government suddenly open itself to a greater degree of religious freedom? In his recent book, *The Political Origins of Religious Liberty*, Anthony Gill presents an economic framework for understanding the relationship between religion and state.<sup>3</sup> Gill describes religious organizations as "firms" that produce and distribute religious "goods." These firms compete for members and resources in a religious marketplace, each seeking to spread their religious message to as many followers as possible. Religious liberty, or religious freedom, represents the degree to which the government regulates this marketplace.<sup>4</sup> Gill

<sup>&</sup>lt;sup>3</sup> ANTHONY GILL, THE POLITICAL ORIGINS OF RELIGIOUS LIBERTY (2008).

<sup>&</sup>lt;sup>4</sup> See Anthony Gill, Rendering unto Caesar: The Catholic Church and the State in

posits that in an environment where no single religion commands a majority market share, all denominations will prefer religious liberty. The presence of competing denominations where none of them has hegemonic dominance will reduce the bargaining leverage of any one particular group. Gill posits that the behavior of politicians who manage religious liberty is governed by five primary incentives.<sup>5</sup> Politicians are interested in 1) maintaining power, 2) maximizing government revenue, 3) promoting economic growth, 4) minimizing civil unrest, and 5) minimizing the cost of ruling. If these goals are hindered by restricting religious liberty, the state will liberalize religious regulation by making a legal or constitutional change.

The Cuban government's behavior fits this economic framework. The government changed its constitution to deregulate religious liberty at a time when doing so would help it maintain power and maximize revenue. Unlike earlier periods when the Government needed to suppress religion to maintain its political power, the Cuban Government seized the opportunity to use religion as a spiritual and economic outlet for political dissent.

### A. Religion Before the Revolution

At the time of the Revolution, the Cuban government was most concerned with suppressing Catholicism and Afro-Cuban religions, which together form a core part of Cuban national identity. Before the Revolution,<sup>6</sup> the Cuban Church was weaker than others in Latin America.<sup>7</sup> While the Church elsewhere in Latin America enjoyed broad support from various classes of society, the Cuban Church was highly reliant on an elite core within Cuba as well as support from abroad.<sup>8</sup> Estimates vary as to the percentage of the Cuban population that professed Catholicism in the 1950s. Official Church statistics state that the nominal Catholic population was 70-75% of the total population before the Revolution and experienced a significant decline thereafter.<sup>9</sup> In 1955, Cuba had 680 priests, 125 of

<sup>9</sup> Id. at 162.

LATIN AMERICA (1998).

<sup>&</sup>lt;sup>5</sup> GILL, *supra* n. 4, at 6.

<sup>&</sup>lt;sup>6</sup> I use the term "Revolution" according to its common meaning in Cuba and in political science literature about Cuba. The Revolution refers to the events which brought Fidel Castro and his socialist government to power in 1959 and also to the ongoing programs of that Revolutionary government, now led by Raúl Castro.

<sup>&</sup>lt;sup>7</sup> On the history of the Catholic Church in Latin America, see Jean Daudelin & W.E. Hewitt, *Churches and Politics in Latin America: Catholicism at the Crossroads*, 16 THIRD WORLD Q. 221 (1995).

<sup>&</sup>lt;sup>8</sup> Margaret E. Crahan, *Salvation through Christ or Marx: Religion in Revolutionary Cuba*, 21 J. INTERAMERICAN STUD. AND WORLD AFFAIRS (SPECIAL ISSUE) 156, 161 (1979).

whom were Cuban, and 1872 nuns, 556 of whom were Cuban.<sup>10</sup> These clergy members were spread unevenly throughout the island and clustered in urban areas.<sup>11</sup> In a 1954 survey conducted by the Catholic Association of the University, 24% of those sampled declared that they attended religious services regularly, a claim contradicted by lower attendance records in rural areas.<sup>12</sup> Identification with Catholicism by Cubans in rural areas was much lower. In 1957, the Church's own survey reported that only 52.1% of the rural population identified as Catholic.<sup>13</sup> 41.4% of rural Cubans reported that they had no definite religion, and 88.8% of declared Catholics never attended mass. In 1960, 20% of the Cuban population claimed to have no religion at all.<sup>14</sup>

Yet support for the Catholic Church in Cuba may be understated due to the Church's complex relationship with Afro-Cuban religions. These religions, such as Santería and Regla de Ocha, originated in the religious practices of Nigeria, Angola, and the Congo and arrived in Cuba along with slavery.<sup>15</sup> As slave religions, they were excluded from societal discourse, and practicing them remained illegal even after slavery was abolished. Because these religions developed in secret, they did not build houses of worship but instead operated through temples in individual homes and through secret societies such as Abakuá. Over time, Afro-Cuban religions syncretized African gods with Catholic saints and adopted the rituals of marriage and baptism within the Catholic Church. The lack of institutionalization, the secretive nature of these groups, and their syncretic nature make accurate data on these religions impossible to obtain. However, Afro-Cuban religious practices were part of the fabric of Cuban society long before the Revolution, and their individualist spiritual nature likely provided competition for other, more institutionalized religious systems such as the Catholic Church.

<sup>&</sup>lt;sup>10</sup> AURELIO ALONSO TEJADA, IGLESIA Y POLÍTICA EN CUBA (2002).

<sup>&</sup>lt;sup>11</sup> Margaret E. Crahan, *Cuba: Religion and Revolutionary Institutionalization*, 17 J. LATIN AM. STUD. 319, 321 (1985).

<sup>&</sup>lt;sup>12</sup> Aurelio Alonso, *Relations Between the Catholic Church and the Cuban Government as of 2003, in* CHANGES IN CUBAN SOCIETY SINCE THE NINETIES, WOODROW WILSON CENTER PAPERS ON THE AMERICAS 15, 243 (2005).

<sup>&</sup>lt;sup>13</sup> ALONSO, *supra* n. 11, at 3.

<sup>&</sup>lt;sup>14</sup> Crahan, *supra* n. 12, at 321.

<sup>&</sup>lt;sup>15</sup> See Stephen D. Glazier, New World African Ritual: Genuine and Spurious, 35 J. SCI. STUDY OF RELIGION 420 (1996); Harry G. Lefever, When the Saints Go Riding in: Santeria in Cuba and the United States, 35 J. SCI. STUDY OF RELIGION 318 (2006); Ivor Miller, A Secret Society Goes Public: The Relationship between Abakuá and Cuban Popular Culture, 43 AFR. STUD. REV. 161 (2000); Lawrence L. Smallwood, Jr., African Cultural Dimensions in Cuba, 6 J. BLACK STUD. 191 (1975).

A small but growing group of Protestants presented an additional challenge for the new atheist Revolutionary government. In 1958, Protestants claimed 150,000 to 250,000 adherents, or about 6% of the population.<sup>16</sup> This represented substantial growth from a 1940 estimate of 40,000 to 50,000.<sup>17</sup> Cuban Protestant groups maintained close ties with their denominational counterparts in the U.S. and relied heavily upon them for financial support.<sup>18</sup> Noting trends of Protestant growth elsewhere in Latin America<sup>19</sup> and Protestant dependence on the U.S., the Revolutionary government thus viewed Protestantism as a potential source of opposition to be dismantled or co-opted.

Thus, religious groups, with their transnational networks, vast resources, and opposition to Communism, posed an ideological threat to Fidel Castro's regime. In the early years of the Revolution, the Castro government sought to regulate religion to maintain its hegemony.

#### B. Anti-Catholicism, Religion and the Early Revolutionary Years

Fidel Castro's 1959 declaration that the Cuban Revolution would be socialist posed an ideological and material challenge to religious groups. Religious adherents were forced to choose publicly between religion and material sustenance, as religious believers of all faiths were barred from Communist party membership and from participation in certain professions. The lack of strength of institutionalized religion described above may partially explain why religious ideology was unable to compete with Marxist ideology when the Revolution began, particularly in rural areas. Religious groups also suffered from emigration of their elites, missionaries, and clergy members. In 1961, the Cuban government exiled 130 priests, and hundreds more fled, leaving only 220 on the island by 1965.<sup>20</sup> In addition, other Catholic elites fled the island for the U.S. or Spain, draining the Church of vital resources.<sup>21</sup> Protestant elites and clergy also left the country, causing a plummet in participation and even a closing

<sup>&</sup>lt;sup>16</sup> Crahan, *supra* n. 9, at 163; *see also* Jorge Ramirez Calzadilla, *Religion, Cultura, y Sociedad in Cuba*, PAPERS: REVISTA DE SOCIOLOGÍA, *available at* http://dialnet.unirioja.es/servlet/articulo?codigo=45600.

<sup>&</sup>lt;sup>17</sup> Crahan, *supra* n. 9, at 163.

<sup>&</sup>lt;sup>18</sup> THERON CORSE, PROTESTANTS, REVOLUTION, AND THE CUBA-U.S. BOND (2007).

<sup>&</sup>lt;sup>19</sup> See generally DAVID STOLL, IS LATIN AMERICA TURNING PROTESTANT? THE POLITICS OF EVANGELICAL GROWTH (1991); Daniel H. Levine, *The Future of Christianity in Latin America*, 41 J. LATIN AM. STUD. 121 (2009).

<sup>&</sup>lt;sup>20</sup> Crahan 1985 at 322; *see also* Corse, *supra* n. 19, at 98; JOHN M. KIRK, BETWEEN GOD AND PARTY: RELIGION AND POLITICS IN REVOLUTIONARY CUBA 98 (1989); ABEL R. CASTRO FIGUREROA, LAS RELIGIONES EN CUBA: UN RECORRIDO POR LA REVOLUCION 36 (2008).

<sup>&</sup>lt;sup>21</sup> Crahan, *supra* n. 9, at 173.

of the Lutheran Church in Cuba. 95% of the Jewish population left the island, radically diminishing that community.<sup>22</sup>

Of all religious faiths, the Revolution had the most profound impact on the Catholic Church. The Revolution separated the Catholic Church completely from the state, distinguishing Cuba from many other Latin American countries, where the church maintained links to the state apparatus. The Church and the government feuded openly in the early years of the Revolution.<sup>23</sup> The Church espoused anti-Marxist ideology, and the Cuban government took action to marginalize the Church. Through the Agrarian Reforms, from 1959 through 1964, the government nationalized Church property and stripped it of its schools, thus depriving it of its most influential means of engendering continuing support.<sup>24</sup> In the same year, the government distributed anti-Catholic propaganda and imprisoned numerous Catholics for counterrevolutionary activity, which served to silence many other Cuban Catholics.

Catholicism thus developed a negative official reputation in Cuba. Isolated from the rest of the world by Cuban policies and the U.S. embargo,<sup>25</sup> the Cuban Church was not impacted by Vatican II and remained very conservative, losing touch with the Cuban population.<sup>26</sup> By 1963 relations between the Church and the government had thawed enough for some clergy and missionaries to return. The Church subsequently became a place of refuge for those opposed to the Revolution, which was frowned upon by the Cuban government.<sup>27</sup>

Besides offering refuge to political dissenters, the Church remained largely uninvolved in political affairs between 1969 and 1978.<sup>28</sup> The state slowly began to make overtures toward the Catholic Church to test its oppositional strength. Fidel Castro began to speak positively of the role of Catholics in revolutions elsewhere in Latin America, including Nicaragua,

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<sup>&</sup>lt;sup>22</sup> RUTH BEHAR, AN ISLAND CALLED HOME: RETURNING TO JEWISH CUBA (2007).

<sup>&</sup>lt;sup>23</sup> Crahan, *supra* n. 9; J.C. Super, *Interpretations of Church and State in Cuba, 1959-1961*, 89 CATHOLIC HISTORICAL REVIEW 511–529 (July 2003).

<sup>&</sup>lt;sup>24</sup> ALONSO, *supra* n. 13; Crahan, *supra* n. 9, at 328.

<sup>&</sup>lt;sup>25</sup> The U.S. embargo against Cuba is the longest trade embargo in modern history. Patrick Jude Haney & Mark Vanderbush, THE CUBAN EMBARGO: THE DOMESTIC POLITICS OF AN AMERICAN FOREIGN POLICY 262 (2005).

<sup>&</sup>lt;sup>26</sup> Crahan, *supra* n. 9, at 319.

<sup>&</sup>lt;sup>27</sup> *Id.*, at 328; Interview with Pastor Adolfo Ham, Protestant Minister & Past President of the Council of Churches, in Havana, Cuba, (Jan. 27, 2008).

<sup>&</sup>lt;sup>28</sup> Kirk, *supra* n. 21, at 127-43; Thomas E. Quigley, *The Catholic Church and Cuba's International Ties*, in RELIGION, SOCIETY, AND CULTURE: THE CASE OF CUBA, Woodrow Wilson Center Reports on the Americas Paper #9, at 94-96 (2003); RAÚL GOMEZ TERTO, THE CHURCH AND SOCIALISM IN CUBA 37-101 (1988).

Chile, and Columbia.<sup>29</sup> Castro met with Catholic revolutionaries abroad, and appeared to signal a willingness to cultivate a progressive Catholicism at home to increase Cuba's international influence.<sup>30</sup> The Church, in turn, responded positively to progressive social initiatives by the government throughout the 1970s.<sup>31</sup>

Even while making these overtures toward the Church, the government formalized its separation from the church by legally proscribing the Church from political opposition.<sup>32</sup> Article 54 of the 1975 Cuban Constitution made it illegal to oppose one's faith or religious belief to the Revolution.<sup>33</sup> Subsequent party Congresses affirmed these principles, as well as the party's intent to separate the Church from the Cuban education system.<sup>34</sup>

According to religious historian Margaret Crahan, Catholics reacted positively to the amendment's clarification of the relationship between the Church and the state.<sup>35</sup> Sensing an opportunity for improved relations, the Communist Party began to stress the lack of conflict between religion and party principles in its official statements. In 1975, 1978, and 1980, for example, while denouncing religion as antithetical to Marxist principles, the Communist Party Congresses affirmed the right to freedom of conscience and explicitly commended Christian participation in national liberation movements elsewhere in Latin America.<sup>36</sup>

Due to continued discrimination against religious believers,<sup>37</sup> religion remained a secret, private matter in Cuban society. People rarely spoke or wrote publicly about religion, and when they did, religion was usually presented in negative terms.<sup>38</sup> In 1985, Fidel Castro granted a series of interviews with Frei Betto, a Brazilian Dominican priest and journalist. In those interviews, Fidel spoke positively of Catholicism in public for the first time.<sup>39</sup> To have the Cuban socialist leader speak about religion at all –

<sup>37</sup> See, e.g., Castro to Investigate Reports of Religious Discrimination, THE ASSOCIATED PRESS, January 25, 1985.

<sup>38</sup> Interview with Father Carlos Manuel Céspedes, Vicar of Havana, in Havana, Cuba (Jan. 22, 2008) [hereinafter Céspedes interview].

<sup>39</sup> Cristian Bofill, *Castro Asks Cooperation with Catholic Church*, UNITED PRESS INT'L, Oct.10, 1985; Alan Riding, *God and Man in Latin America*, N.Y. TIMES, June 14, 1987, at 15; Jenny Morgan, *Third World Review: Mystic and Marxist/President Castro and the Cuban Church*, THE GUARDIAN

<sup>&</sup>lt;sup>29</sup> ALONSO, *supra* n. 11, at 14-15.

<sup>&</sup>lt;sup>30</sup> Id.

<sup>&</sup>lt;sup>31</sup> *Id.*; Kirk, *supra* n. 21, at 127-43.

<sup>&</sup>lt;sup>32</sup> Crahan, *supra* n. 9, at 333.

<sup>&</sup>lt;sup>33</sup> CUBAN CONSTITUTION OF 1975 art. 54.

<sup>&</sup>lt;sup>34</sup> Crahan, *supra* n. 9, at 333. <sup>35</sup> *Id*.

<sup>&</sup>lt;sup>36</sup> Plataforma Programática del Partido Comunista de Cuba, Comité Central del Partido Comunisto de Cuba, Havana, 1976; Margaret Crahan, *Cuba: Religion and Revolutionary Institutionalization*, 17 J. LATIN AMER. STUD. 2, at 12.

and in positive terms – was a watershed moment for many Catholics. The book sold more than a million copies in Cuba, which then had a population of about 12 million.<sup>40</sup> It was also translated into at least 23 languages in 32 countries. The book inspired many attempts at rapprochement between religion and state in the Communist world. According to Father Carlos Manuel de Céspedes, the Vicar of Havana and one of the most highly respected intellectual voices within the Cuban Church, the interviews signaled to the population that the climate for religion had improved.<sup>41</sup> In a country where measurable freedoms of expression were strictly curtailed, the response to the interviews and the subsequent book provided a credible signal to the Cuban government that their population craved greater religious liberties. In 1986, the state permitted the Encuentra Naciónal Ecclesio Cubano to convene in Cuba. Preparations for ENEC, also known as the "National Encounter" or the "Catholic Congress," involved months of meetings of lay Catholics, culminating in a meeting of Catholic bishops. The conference ultimately reported increased Church presence and overall religious activity on the Island.<sup>42</sup>

# C. Coopting Religion: Religious Corporatism and Non-Catholic Faiths

While the Cuban government sought to distance itself from the Catholic Church, it developed a close relationship with certain Protestant groups. While the Revolutionary government expelled some Protestant ministers and missionaries early in the Revolution,<sup>43</sup> it simultaneously sought to co-opt other groups through incorporation into the administrative structure of the state. Cuba's relationship with Protestantism may be defined as corporatism, a term used to describe administrative law and politics in many states with elements of socialism in their political systems. In his influential article, *Still the Century of Corporatism*?, Phillippe Schmitter defines corporatism as a "distinctive, modern system of interest representation" in which government grants representative corporations the exclusive privilege of representing the interests of entire sectors of society.<sup>44</sup> These arrangements may be *de facto* or *de jure*, depending on the degree to which a government uses law versus decree as an

<sup>(</sup>London), Jan. 17, 1986.

<sup>&</sup>lt;sup>40</sup> FIDEL CASTRO & FREI BETTO, FIDEL AND RELIGION 1-8 (2006).

<sup>&</sup>lt;sup>41</sup> Céspedes Interview.

<sup>&</sup>lt;sup>42</sup> ALONSO, *supra* n. 13, at 244; ABEL R. CASTRO FIGUEROA, LAS RELIGIONES EN CUBA: UN RECORRIDO POR LA REVOLUCIÓN, INSTITUTO TECNOLÓGICO Y DE ESTUDIOS SUPERIORES DE OCCIDENTE 61-62 (2008).

<sup>&</sup>lt;sup>43</sup> A. CASTRO FIGUEROA, *supra* n. 43, at 77.

<sup>&</sup>lt;sup>44</sup> Philippe Schmitter, Still the Century of Corporatism?, 36 REV. POL.85, 85 (1974).

administrative tool. In a corporatist model, the government also maintains some control over the selection of corporate leaders and the articulation of Schmitter describes "state corporatism," the type of their demands. corporatism most common in authoritarian societies, as an arrangement in which governments create representative corporations and enter into relations with them, but do not depend on them for legitimacy and their ability to function.<sup>45</sup> Corporatism benefits the state by ensuring consensus over state action and bolstering state legitimacy.<sup>46</sup> It also increases the ability of the state apparatus to increase control over certain economic actors and manage the economy by streamlining organizational and agency interests to support state goals.<sup>47</sup> Although corporatism limits the autonomy of those sectors entering into such an arrangement, those same sectors benefit from the arrangement through an increased opportunity to modify market outcomes that is less risky than bargaining from outside the political system.<sup>48</sup>

While corporatism is usually used to describe relations between the government and labor or industrial interests, corporatism aptly describes the relationship that the Revolutionary government developed with the Protestant Council of Churches. The Consejo de Iglesias, or Council of Churches, was started by Protestant leaders before the Revolution as a Protestant bulwark against the power of the Catholic Church.<sup>49</sup> The Council of Churches is the most well- known Protestant organization in Cuba. The Council is comprised of twenty-five officially recognized denominations including Pentacostalists, ecumenical movements, and two non-Christian groups. It provides social service functions, like addiction recovery support groups, and receives visits and aid from Protestant groups abroad.<sup>50</sup> The Council also airs a radio program once per month, unlike the Catholic Church, which is denied access to media.<sup>51</sup>

The Council represents only about half of Cuba's Protestants.<sup>52</sup> Many other Protestant congregations are new and are not officially registered

<sup>&</sup>lt;sup>45</sup> Id.

<sup>&</sup>lt;sup>46</sup> Mario Regini, *The Conditions for Political Exchange: How Concertation Emerged and Collapsed in Italy and Great Britain, in* ORDER AND CONFLICT IN CONTEMPORARY CAPITALISM 124, 124-142 (John H. Goldthorpe ed., 1984).

<sup>&</sup>lt;sup>47</sup> Schmitter, *supra* n. 45, at 85-131.

<sup>&</sup>lt;sup>48</sup> Regini, *supra* n. 47, at 124-142.

<sup>&</sup>lt;sup>49</sup> Ham Interview, *supra* n. 28. The Council was originally known as the Concilio Cubano de Iglesias Evangélicas.

<sup>&</sup>lt;sup>50</sup> Calzadilla et. al., *supra* n. 17, at 139-53.

<sup>&</sup>lt;sup>51</sup> Ham Interview, *supra* n. 28.

<sup>&</sup>lt;sup>52</sup> Interview with David Puig, Pastor of W. Carey Baptist Church, in Havana, Cuba (Jan. 18, 2007) [hereinafter Puig Interview].

with the Cuban government, a process that can take more than ten years.<sup>53</sup> Other congregations, particularly older denominations with historic opposition to the Revolution or ties to U.S. denominations, do not agree with the Council's positions, and may be effectively excluded from membership for doing so.<sup>54</sup> Thus, the Council represents an older guard of well-established Protestant communities. The government treats it as the primary voice of Protestants in Cuba, and in return, the Council of Churches has consistently supported government stances throughout the Revolution, to a far greater degree than the Catholic Church.<sup>55</sup>

Thus, while the Catholic Church inched toward reconciliation with the government to work for common goals, many Cuban Protestant leaders aligned themselves directly with the interests of the Communist Party through a corporatist structure. Protestants, through the Council of Churches, have never been seen as oppositional to the Revolution, and have thus avoided the distrust that has accompanied the Catholic Church's oft-estrangement from the government. Cooperation between Council and non-Council churches in educational and social arenas has bolstered their informal political ties and reinforced public perceptions of Protestant denominations as a unified group, allowing even non-Council denominations to benefit from the Cuban government's comparative benevolence toward Protestants.

Cuban Protestants have also had an internal focus rather than an external one. Even those denominations outside the ambit of the Council have typically relied on local clergy since early in the Revolution and do not depend on the foreign community for leadership.<sup>56</sup> Recent, rapid growth of independent Pentecostal congregations in Cuba has reinforced this home-grown quality of Cuban Protestantism.<sup>57</sup> Protestant leaders have thus had an easier time than their Catholic counterparts publicly presenting their interests as being aligned with the interests of the Cuban people rather than with external actors.

The Cuban government has had fewer institutional clashes with Afro-Cuban religions since the Revolution because of their decentralized nature. Throughout the Revolution, Afro-Cuban religions have remained the most widely practiced religions in Cuba. Rafael Rubiano, director of the Cuban

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<sup>53</sup> Interview with Aurelio Alonso Tejada, Historian, Casa de Las Americas, in Havana, Cuba (Jan.

<sup>26, 2007).</sup> <sup>54</sup> Jill Goldenziel, Anonymous Interview with Cuban Religious Leader, January 2007 (name withheld to protect interviewee).

<sup>&</sup>lt;sup>5</sup> Crahan, *supra* n. 12, at 319-340; A. CASTRO FIGUEROA, *supra* n. 43, at 78.

<sup>&</sup>lt;sup>56</sup> ALONSO, *supra* n. 13, at 243-56.

<sup>&</sup>lt;sup>57</sup> *Id.*, at 245.

Center for Anthropology in Old Havana, estimates that adherents of Afro-Cuban religions comprise 20-30% of the population.<sup>58</sup> Natalia Bolívar, a renowned anthropologist and authority on Afro-Cuban religions, estimates that the number is even higher, with most Cubans practicing both Catholicism and Afro-Cuban religions.<sup>59</sup> Afro-Cuban religious practitioners remain the most difficult to quantify because they lack centralized institutional structures and because of past prohibitions against their religious practices. Bolívar Arosteguí's 1990 book on the Orishas, Afro-Cuban deities, broke the silence about Afro-Cuban religions and made some of their more mysterious aspects accessible for study by the general public.<sup>60</sup>

Officially, the Cuban government had spoken negatively of Afro-Cuban religions, linking their practice to criminal activity.<sup>61</sup> Yet the Revolutionary government recognized the importance of Afro-Cuban religions to Cuban national identity and found that their actual challenge to the regime was minimal. Because they lacked a formal institutional structure, these religions had no elites and clergy to flee the Revolution, and ultimately the Cuban government realized that they were not institutionally organized enough to pose any serious political threat. Thus, the government eventually began to lift the criminal proscription on practicing Afro-Cuban religious festivals, even as it discouraged religious belief in general.<sup>62</sup> Fearing repercussions for beliefs in the divine, followers of Afro-Cuban religions continued to worship privately, as they had since the nineteenth century, when Spain criminalized adherence to Afro-Cuban religions as a way of reinforcing loyalty to the Spanish empire.<sup>63</sup> While it is difficult to gain data on the practice of Afro-Cuban religions since 1959 due to their secret, informal nature, data on the number of pilgrims attending the Festival of San Lázaro each December provides some evidence that Afro-Cuban religious participation was growing during the 1980s.<sup>64</sup> San Lázaro, also known as Babalú Ayé, is a

<sup>&</sup>lt;sup>58</sup> Interview with Rafael Rubiano, Professor of Anthropology, Cuban Institute of Anthropology, in Havana, Cuba (Jan. 27, 2008).

<sup>&</sup>lt;sup>59</sup> Interview with Natalia Bolívar Aróstegui, Professor of Anthropology, in Havana, Cuba (Jan. 27, 2008).

<sup>&</sup>lt;sup>60</sup> Id.

<sup>&</sup>lt;sup>61</sup> Horowitz, et. al., CUBAN COMMUNISM, 10th ed., 376-77.

<sup>&</sup>lt;sup>62</sup> Román Orozco and Natalia Bolívar, CUBASANTA: COMUNISTAS, SANTEROS, Y CRISTIANOS EN LA ISLA DE FIDEL CASTRO 473-74 (1998).

<sup>&</sup>lt;sup>63</sup> See Miller, supra n. 16; Message of the Conference of Catholic Bishops of Cuba, El Amor Todo Lo Espera (Sept. 8, 1993), available at http://pdc-cuba.org/amor.htm; Ivor Miller, Voice of the Leopard: African Secret Societies in Cuba 2009 at 151.

<sup>&</sup>lt;sup>64</sup> Calzadilla, et. al., supra n. 17, at 139-53. See also Katherine J. Hagedorn, Long Day's Journey

highly popular deity who is both a uniquely Cuban saint, and one of the most important Afro-Cuban orishas.<sup>65</sup> Participation in the annual pilgrimage to Rincón grew throughout the 1980s, reaching 70,000 in 1989.<sup>66</sup> If participation in the pilgrimage is an adequate proxy for overall Afro-Cuban religious practice, adherence to Afro-Cuban religions was steadily building in the years preceding the collapse of the Soviet Union.<sup>67</sup>

# III. "THE OPENING" OF 1991: RELIGIOUS FREEDOM MEETS ECONOMIC NEED

In the late 1980s and early 1990s, as world communism was collapsing, the Cuban government took a series of steps that paved the way for greater religious freedom in Cuba. The government convened a series of public conversations about the future of Cuban society. The Cuban public demanded greater avenues for free expression.<sup>68</sup> The government's tentative dealings with the Catholic Church in the 1970s and 1980s and its close ties to the Protestant Council of Churches provided valuable indicators to the government of growing religious trends.

In response, the government enacted legal reforms that allowed greater religious expression in Cuba. In 1991, the Communist Party permitted religious believers to join the Communist Party for the first time.<sup>69</sup> In 1992, Articles 41, 42, and 54 of the Cuban Constitution also were modified to eliminate popular discrimination against religion.<sup>70</sup> The new Constitution redefined Cuba as an "estado laíco," or a secular state, rather than an atheist state. These events became known as the "Apertura," or Opening, of the Cuban state toward religion.

Several other conciliatory steps toward increased religious liberty followed the initial Opening. The government slowly eliminated official prohibitions that had previously kept religious believers from entering

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to Rincón: From Suffering to Resistance in the Procession of San Lázaro/Babalú Ayé, 11 BRIT. J. ETHNOMUSICOLOGY 43, 43-69 (2002).

<sup>65</sup> Natalia Bolívar Aróstegui, Los Orishas en Cuba. (1994); Hagedorn, supra n. 65, at 43-69.

<sup>66</sup> Calzadilla, et. al., supra n. 17, at 139-53; ALONSO, supra n. 13, at 243-56.

<sup>67</sup> See also Victoria Gaitskell, Pope's First Visit Fuels Catholic Revival in Cuba but Age-Old Worship of Santería [sic] is Also Rising, TORONTO STAR, Dec. 27, 1997, at L22.

<sup>&</sup>lt;sup>68</sup> John Hughes, Castro and the Future of Cuban Communism, CHRISTIAN SCI. MONITOR, Sept. 19, 1991, at 18; Pedro Monreal, Development as an Unfinished Affair: Cuba after the "Great Adjustment" of the 1990s, 29 LATIN AM. PERSP. 75, 75-90 (2002); Howard W. French, With No Chicken in the Pot, Cubans' Faith in Castro's Revolution is Waning, N.Y. TIMES, Oct. 10, 1991, at 3.

Deborah Ramirez, Cubans Set Records Flocking to Religion, TORONTO STAR, Dec. 14, 1996, at L20. <sup>70</sup> 1992 CUBAN CONSTITUTION, arts. 41, 42, and 54.

certain careers and courses of study.<sup>71</sup> In speeches and official pronouncements, the state gradually substituted more flexible ideological concepts in place of atheism.<sup>72</sup> Atheism courses in state Universities and Schools were eliminated.<sup>73</sup> In 1990, Fidel Castro met with the Ecumenical Council of Cuba, and began to pave the way for the Papal visit of 1998. These steps resulted in the popular acceptance and open recognition of religious believers, and caused a greater interest in religion in the public consciousness. Religion became a central theme in music, dance, and the arts, and more frequent references to religion were made in radio, television, and the press.<sup>74</sup>

The legal Opening to religion led to vastly increased public expressions of religiosity in Cuba. Before 1991, members of official government organizations were forbidden from expressing religious beliefs, making accurate surveys of religious belief among government employees impossible. A recent poll of members of governmental organizations reveals a high degree of religiosity in the formerly "atheist" bureaucracy. 93% of members of the Committee for the Defense of the Revolution report having some form of religious belief, as well as 57% of the Civil Defense.<sup>75</sup> As the stigma of religious participation was eliminated, religious organizations began to grow in human and material resources and gained a more prominent role in Cuban society.

# IV. WHY THE OPENING?

The legal Opening to religion represents the Cuban government's political response to a threat to its own legitimacy. The government recognized its need to provide a spiritual outlet to its people during the economic crisis precipitated by the collapse of the Soviet Union. With the fall of the Soviet Union in the early 1990s, Cuba lost its main oil supplier and primary economic trading partner practically overnight.<sup>76</sup> The Cuban government mandated a "Special Period" of severe economic austerity.<sup>77</sup>

<sup>&</sup>lt;sup>71</sup> Calzadilla et. al., Religión y Cambio Social: El Campo Religioso Cubano en La Década del 90, at 24 (2006). <sup>72</sup> *Id*.

<sup>&</sup>lt;sup>73</sup> Id

<sup>&</sup>lt;sup>74</sup> Id. at 24-25; MARCOS A. RAMOS, PROTESTANTISM AND REVOLUTION IN CUBA 122 (1989).

<sup>&</sup>lt;sup>75</sup> ALONSO, *supra* n. 11, at 25.

<sup>&</sup>lt;sup>76</sup> William M. Leogrande & Julie M. Thomas, Cuba's Quest for Economic Independence, 34 J. LATIN AM. STUD. 325-63 (2002).

<sup>&</sup>lt;sup>77</sup> See generally Carranza Valdes, et. al., "Institutional Development and Social Policy in Cuba: 'The Special Period'", 58 J. INT'L AFFAIRS 175-88 (2004); REDEFINING CUBAN FOREIGN POLICY: THE IMPACT OF THE "SPECIAL PERIOD" (H. Michael Erisman & John M. Kirk eds., 2006).

According to historian Aurelio Alonso, the severe crisis of material needs caused a crisis of values that led to existential crises and a reactivated popular belief in the supernatural.<sup>78</sup> The state needed to substitute another non-materialist ideology for the then recently discredited socialist ideology to bolster its legitimacy.

In light of the religiosity of the Cuban public, the government likely became concerned that continued affirmations of secularism or atheism would make it lose credibility. The government realized that religion could be used to manipulate its citizens. Evoking traditional Marxist conceptions of religion, the Cuban government-sponsored think tank Centro de Investigación Psicológicas y Sociológicas (CIPS)<sup>79</sup> explains that religion has the power to regulate the conduct of groups and believers through its "high influence on emotional processes."<sup>80</sup> The Cuban government recognized the resurgence of religiosity in the population and responded by relaxing restrictions on religious groups in a way that would allow it to maintain control.<sup>81</sup>

The government acted carefully to ensure that its actions would quell potential civil unrest rather than fomenting rebellion. The government wished to avoid cooptation of its political power by religious groups while bolstering its popular support through religious deregulation. Observing Soviet perestroika reforms with religion and the ties of religious groups to democratic movements in post-Communist Russia,<sup>82</sup> Belarus,<sup>83</sup> and the Ukraine,<sup>84</sup> the Cuban government knew that controlled religious deregulation was necessary to maintain the support of its major denominations.

The Cuban government likely calculated that it could safely deregulate religion without great political costs. Because the Cuban religious landscape is heterogeneous and no one denomination has a dominant market share, the Cuban government knew no one religious group would maintain enough market share to gain critical political bargaining power if greater religious freedoms were allowed. Unlike in Poland, where Catholicism had a dominant market share, the Cuban government was reasonably assured that an increase in religious liberty would not lead to

<sup>&</sup>lt;sup>78</sup> ALONSO, *supra* n. 11, at 25.

<sup>&</sup>lt;sup>79</sup> Centro de Investigaciones Psicológicas y Sociológicas, http://www.cips.cu/.

<sup>&</sup>lt;sup>80</sup> Calzadilla et. al., *supra* n. 72, at 24.

<sup>&</sup>lt;sup>81</sup> ALONSO, *supra* n. 11, at 25.

<sup>&</sup>lt;sup>82</sup> Larissa Titarenko, On the Shifting Nature of Religion during the Ongoing Post-Communist Transformation in Russia, Belarus and Ukraine, 55 SOCIAL COMPASS 2, 237-54 (June 2008).

<sup>&</sup>lt;sup>84</sup> *Id.*; see generally CATHERINE WANNER, Ukrainians and Global Evangelism (2007).

government collapse. With such a strong nationalist propaganda machine already in place, and with the Catholic Church's long history of opposition to its socialist program, the Cuban government also did not fear that its nationalist message would be co-opted by any church, as occurred in Russia and the Ukraine.<sup>85</sup>

The Cuban government also knew that it did not face the same threat from the Catholic Church as its Latin American neighbors. While the Church elsewhere in Latin America embraced the cause of the poor in opposition to rich, corrupt authoritarian regimes, the Cuban government had already preempted the Church's most successful political stance by positioning itself politically to represent the interests of the poor through socialism.<sup>86</sup> From its tentative interactions with the Church in the 1970s and 1980s, the Cuban government also knew that the Church was willing to behave in a conciliatory political fashion. Thus, the Cuban government could be reasonably assured that religious deregulation would not threaten its authority.

The Cuban government also likely viewed increased religious liberty as a pragmatic means toward economic growth. Religious groups in former Soviet states, such as the Ukraine, have long enjoyed financial support from the West.<sup>87</sup> Accordingly, the Cuban government likely sought to take advantage of a loophole in the U.S. embargo that allows religious groups to visit Cuba<sup>88</sup> These groups travel to Cuba legally on religious humanitarian missions laden with medicine, clothing, and other forms of material aid, as well as ritual objects and supplies for their religious denominations. The Cuban Jewish community, for example, has received resources from abroad consistently since before the Revolution. Since the Opening, it has received at least two groups per week in the winter season from Jewish communities in the United States, each carrying clothing and medical supplies.<sup>89</sup> The Cuban Government has allowed this type of humanitarian assistance to continue even as it has rejected other U.S. offers of foreign aid. <sup>90</sup> This aid from abroad has increased the capacity of

<sup>&</sup>lt;sup>85</sup> A.D. Krindatch, *Religion in Postsoviet Ukraine as a Factor in Regional, Ethno-Cultural and Political Diversity*, 31 ReL., STATE AND SOCIETY 37–73 (Mar. 2003); see generally WANNER, supra n. 85.

<sup>&</sup>lt;sup>86</sup> Gill, *supra* n. 5.

<sup>&</sup>lt;sup>87</sup> See generally, WANNER, supra n. 85.

<sup>&</sup>lt;sup>88</sup> 31 C.F.R. § 515.566 (2004).

<sup>&</sup>lt;sup>89</sup> Interview with Adela Dworin, Pres., Jewish Comm. of Havana, in Havana, Cuba (Jan. 27, 2007). <sup>90</sup> Cuba to Reject US Aid, BBC NEWS, Sept. 11, 1998, http://news.bbc.co.uk/2/hi/americas/168987.stm (discussing Cuban rejection of U.S. aid); Anita Snow, Cuba Welcomes US Aid Offer, Associated Press, Nov. 9, 2001 (discussing past rejection of U.S. aid).

# religious organizations to perform social welfare functions, and has thus enhanced the social standing of religious organizations in Cuban society. The U.S. government has also permitted American religious organizations to raise funds in the U.S. for Cuban religious groups.

Religious tourism from the U.S. and elsewhere injects funds and goods into the Cuban economy while providing much-needed humanitarian assistance to the population. Since the Cuban government does not need to provide the social services provided by religious organizations, increased religious liberty reduces the government's cost of ruling. A stronger economy and improved social services also minimize chances for civil unrest, thus meeting another of the Cuban government's goals.

# V. THE PUZZLE OF RELIGIOUS PLURALISM IN CUBA

What incentives did the Cuban population have to embrace increased religious liberty? While Anthony Gill assumes that religious preferences in any society in which two or more religions compete for a share in the religious marketplace are always pluralistic, this is not a given.<sup>91</sup> In a post-Communist society, religious believers may remain reluctant to express religious beliefs even after the legalization of religious expression, because they fear social if not official stigmatization. Religious believers may also rationally choose to affiliate with the largest, most established religious organization if they are to affiliate with any religion at all. In Cuba, as in much of the world, the Catholic Church has the oldest, largest, wealthiest, and most organized presence of any religion in the country. Moreover, most of Latin America is Catholic. As Cuba continues to form more political alliances with its Latin American neighbors. Cubans may have increasing contact with Catholics and social incentives to join the religion of their neighbors. As long as the Cuban government believes that it can control Catholic opposition, the Cuban government may even have some political incentive to have Cubans choose Catholicism to help it "normalize" with the rest of Latin America.

So why are all Cubans not Catholics? While some have argued that Cubans have turned to religion out of material or spiritual necessity, the growth of minority religions indicates that something else is at play. Cubans seem to be using religion as an opportunity for freedom of expression, to seek out new religious beliefs. In a sense, religion can be seen as a vehicle for bringing democratic expressive freedoms to Cuba.

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<sup>&</sup>lt;sup>91</sup> GILL, *supra* n. 4.

While the Cuban government restricts religious practice, the marketplace of religious ideas is now relatively free in Cuba, and Cubans are reveling in the chance for free choice within it. Religion may be one of the few areas of Cuban society where Cubans have genuine choice as to modes of free expression. Religious sociologists Roger Finke and Rodney Stark also note that where religious pluralism exists, a high degree of religious commitment is likely to occur.<sup>92</sup> Opening constitutional space for religious beliefs. Cubans may also view religion as a means for promoting social change in Cuba. In Latin America and elsewhere, religious groups and other mechanisms of civil society have spurred a transition to more democratic forms of government, as Cubans and their government have noted.<sup>93</sup> Indeed, Cuban religious pluralism has translated into a vibrant religious landscape, although political change is less certain thus far.

The Cuban government has every incentive to support religious pluralism to ensure that no one religion gains dominant market share that would threaten this authority, and to diversify its revenue streams. The Cuban Government has carefully permitted religious growth across the religious spectrum, including Catholicism, Protestantism, and smaller faiths. In all cases, the Cuban government has sought to maximize the economic impact of religious growth while carefully monitoring the workings of religious groups.

# A. Impact of the Opening on Catholicism

The Cuban government may have had something to fear from the Catholic Church after the Opening. As Samuel Huntington has observed, the Third Wave of democratization was "overwhelmingly a Catholic wave," as the Catholic Church and its activists promoted greater democratization throughout the world.<sup>94</sup> The Polish experience, in particular, revealed that the Church could be a powerful force for democratization.<sup>95</sup> The Catholic Church throughout Latin America had also expressed strong opposition to authoritarian governments ever since

 $<sup>^{92}</sup>$  Roger Finke and Rodney Stark, ACTs of Faith: Explaining the Human Side of Relicion (2000).

<sup>&</sup>lt;sup>93</sup> See generally J.S. Tulchin, et. al., *Changes in Cuban Society Since the Nineties*, 15 WOODROW WILSON CTR. REP. ON THE AMERICAS (2005).

<sup>&</sup>lt;sup>94</sup> SAMUEL P. HUNTINGTON, THE THIRD WAVE (1991).

<sup>&</sup>lt;sup>95</sup>*Id*; Daniel Philpott, *Explaining the Political Ambivalence of Religion*, 101 AM. POL. SCI. REV. 511, 505–525 (2007).

the 1968 Conference of Latin American Bishops in Medellín, Columbia, which gave rise to the "liberation theology" movement.<sup>96</sup>

The conciliatory motions by the Catholic Church in the 1980s may have spurred the Opening of the Cuban state toward religion. Cubans watched with great interest to see how the Church would respond when given more space for freedom of expression.<sup>97</sup> In 1993 the Cuban bishops released a pastoral message entitled, "El Amor Todo Lo Espera," or "Everything Waits for Love."<sup>98</sup> The missive discussed the goals of the Cuban Church in the wake of the collapse of the Soviet Union, which included primarily humanitarian aims and did not explicitly oppose the Revolutionary government. The message was viewed as the broadest political statement by the Cuban Church since 1959.<sup>99</sup> This lack of opposition to the government appeared carefully calculated to allow the Catholic Church some degree of autonomy within Cuba. As often occurs when the Catholic Church chooses to voice its support or remain neutral on questions of politics, the message was likely aimed at allowing Catholicism to maintain or improve its market share among the Cuban population in light of an expanding religious marketplace.<sup>100</sup>

In 1998 Pope John Paul II visited Cuba. His sermon on the Plaza de la Revolución before the entire Politboro, members of the public, and statesponsored television cameras was seen as the final reconciliation between the Catholic Church and the Cuban state. Catholics soon began to publicly profess their faith in large numbers. Attendance at mass swelled around the country.<sup>101</sup> The Catholic Church solidified its relationship with the state and asserted its place as a force in Cuban civil and political society.<sup>102</sup>

Catholic institutions have multiplied in the wake of the Opening. The number of dioceses and archdioceses has grown, as has clerical and lay participation in Catholic activities.<sup>103</sup> The Church adopted a Global

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<sup>&</sup>lt;sup>96</sup> For a discussion of liberation theology, see generally Danny A. Bauer, Carl G. Herndl, *Speaking Matters: Liberation Theology, Rhetorical Performance, and Social Action*, 54 C. COMPOSITION AND COMM. 558-85 (2003); W.E. Hewitt, *The Changing of the Guard: Transformations in the Politico-religious Attitudes and Behaviors of CEB Members in Sao Paulo, 1984-1993*, 38 J, OF CHURCH & STATE 115-137 (1996).; Daniel H. Levine, *On Premature Reports of the Death of Liberation Theology*, 57 REV. OF POL, 105-32 (1995).

<sup>&</sup>lt;sup>97</sup> ALONSO, *supra* n. 13.

<sup>&</sup>lt;sup>98</sup> Id., at 246.

<sup>&</sup>lt;sup>99</sup> Id.

<sup>&</sup>lt;sup>100</sup> J. Anderson, *The Catholic Contribution to Democratization's "Third Wave": Altruism, Hegemony or Self-interest?* 20 CAMBRIDGE REV. OF INT'L AFFAIRS 394, 383–99 (2007).

<sup>&</sup>lt;sup>101</sup> ALONSO, *supra* n. 13, at 249; Céspedes Interview, *supra* n. 39.

<sup>&</sup>lt;sup>102</sup> ALONSO, *supra* n. 13, at 247.

<sup>&</sup>lt;sup>103</sup> Cuba: Catholics Fill Churches Amid Climate of Official Tolerance, INTER PRESS SERVICE, Apr. 13, 1995; Victoria Gaitskell, Pope's First Visit Fuels Catholic Revival in Cuba But Age-Old

Pastoral Plan for 1997-2000 to promote evangelization and reaffirm the Church's duty to preserve the Revolution's achievements in creating a more just society.<sup>104</sup> Thus the Catholic Church, in its official stance, has taken a conciliatory rather than an oppositional tone toward the Cuban state since 1991.

The reach of the Catholic Church in Cuba extends beyond such metrics of formal participation. Margaret Crahan eloquently argues that "Christianity exerts a predominant influence which in moments of crisis can result in a reassertion of loyalty to the churches," which has resulted in enduring, if seemingly sporadic, allegiance to the Catholic Church in Cuba.<sup>105</sup> The influence of the Catholic Church in Cuba is also increased by its civil society and social service organizations. A new Catholic civil society were disbanded early in the Revolution, but new forms began to appear shortly after 1991. Catholic lay groups such as the Catholic University Student Movement and the Catholic Center of Civic-Religious Formation have begun. The Fray Bartolomé de las Casas Center provides panels and dialogue with the academic and political world.<sup>106</sup> The Church has created new lay commissions and has begun to sponsor Social Weeks for the general public.

Some elements of Catholic civil society have been more critical of the Revolution than the Church itself. For example, the Church has developed several publications, such as *Vitral*<sup>107</sup> and *Palabra Nueva*,<sup>108</sup> which have become popular fora for both religious thought and controversial political criticism unparalleled by other Cuban publications.<sup>109</sup> These publications are able to avoid rigorous government censorship because they are distributed in the Church. Officially, *Vitral* has a circulation of 3,500,<sup>110</sup> but the estimated circulation of both publications is much higher because many congregants will read and share copies at church. The editor of *Palabra Nueva*, for example, estimates its actual circulation at 8,000-10,000.<sup>111</sup> The Cuban government has been highly critical of these publications, especially of *Vitral*, published out of the traditionally

Worship of Santería [sic] Is Also Rising, TORONTO STAR, Dec. 27, 1997, at L22.

<sup>&</sup>lt;sup>104</sup> ALONSO, *supra* n. 13.

<sup>&</sup>lt;sup>105</sup> Crahan, *supra* n. 9, at 158.

<sup>&</sup>lt;sup>106</sup> ALONSO, *supra* n. 13, at 247.

<sup>&</sup>lt;sup>107</sup> http://www.vitral.org/.

<sup>108</sup> http://www.palabranueva.net/.

<sup>&</sup>lt;sup>109</sup> ALONSO, *supra* n. 13, at 130-31.

<sup>&</sup>lt;sup>110</sup> A. CASTRO FIGUEROA, *supra* n. 43, at 118.

<sup>&</sup>lt;sup>111</sup> Interview with Orlando Marquez, Editor-in-Chief, Palabra Nueva, in Havana, Cuba (Jan. 2007).

oppositional Bishop's office in Pinar del Rio. Following this harsh criticism, *Vitral* revamped its editorial structure and content in May 2007.<sup>112</sup>

In the wake of the fall of the Soviet Union, Catholic service organizations began to play a significant role in social welfare provision in Cuba. During the Special Period, Catholic Relief Services donated 3 million dollars worth of medicines to Cuba.<sup>113</sup> In 1991, after the Opening, a branch of Caritas was established in Cuba.<sup>114</sup> The Cuban government permitted Caritas, which operates worldwide, to open in Cuba in 1991 in response to the economic crisis of the Special Period.<sup>115</sup> Caritas is run through the Cuban Conference of Bishops and is considered an arm of the Church, not a separate organization. Caritas represents the Church's first broad attempt at social service provision since its previous social service agencies were nationalized following the Revolution. Caritas grew rapidly, establishing eleven offices throughout Cuba in the next several years. The organization works with vulnerable groups to include them in society, including children, the elderly, and victims of humanitarian emergencies.<sup>116</sup>

Through Caritas, many Cubans have come to rely on an arm of the Catholic Church for social services. Like all religious social service organizations in Cuba, Caritas maintains strong ties to local neighborhoods and communities through its religious affiliation. The professionals working at Caritas are all Catholics, but its volunteers and target populations are drawn from throughout Cuban society. Thus, it has often been more adept at identifying and responding to areas of need than the Cuban government. During the Special Period, as municipalities and neighborhoods could no longer rely on the state for material support, locally-based religious organizations like Caritas became more crucial in supplying Cubans with humanitarian needs.<sup>117</sup> Although the national

<sup>&</sup>lt;sup>112</sup> Wilfredo Cancio Isla, An Outspoken Magazine of Cuban Church Closing, MIAMI HERALD, Apr. 12, 2007 (discussing presumed closing of Vitral); Bishop Denies Reports of Cuban Magazine's End, MIAMI HERALD, Apr.18, 2007 (citing clash between bishop and Vitral); Frances Robles and Wilfredo Cancio, Stuck in the Present, MIAMI HERALD, May 16, 2007 (clarifying that Vitral would not close but instead would become less argumentative with government positions). Cf. Vitral No. 78 (Mar-Apr. 2007) and Vitral No. 79 (May-June 2007), featuring different editorial boards. http://www.vitral.org.

<sup>&</sup>lt;sup>113</sup> Calzadilla, et. al., *supra* n. 72, at 23.

 <sup>&</sup>lt;sup>114</sup> Interview with Maritza Sanchez, Director National Caritas, in Havana, Cuba (Jan. 22, 2008).
<sup>115</sup> Id.

<sup>&</sup>lt;sup>116</sup> See, e.g., Cuba Hurricane Appeal, Caritas Press Releases (2008), http://www.caritas.org/newsroom/press\_releases/cuba\_hurricane\_appeal.html (last visited Sept. 14, 2009).

<sup>2009).</sup> <sup>117</sup> Juan Valdes Pas, "Cuba in the Special Period: From Equality to Equity," in J.S. TULCHIN ET. AL., CHANGES IN CUBAN SOCIETY SINCE THE NINETIES 113 (2003).

agenda of Caritas focuses primarily on programs for children and the elderly, local branches of Caritas have freedom to develop programs based on the needs in their communities. For example, Caritas Havana has developed a special program to meet the needs of autistic children, unique in the country.<sup>118</sup>

Caritas' affiliation with the Catholic Church has enabled it to conduct outreach well beyond that allowed by secular humanitarian organizations in Cuba. Unlike other Cuban social service organizations, Caritas does not need special permits to operate its programs because it is a wing of the Church. However, Caritas' operations are limited by the regulations on religious denominations in Cuba, as discussed below.

### B. Impact of the Opening on Protestant Denominations

Protestantism in Cuba has strengthened in both numbers and institutional strength in comparison to Catholicism since the early 1990s.<sup>119</sup> After a low point in the 1960s during which non-Council pastors were exiled and estranged from the state, the number of overall Cuban Protestants began to grow in the 1970s and 1980s, much like Protestant growth in the rest of Latin America.<sup>120</sup> After the Opening, Protestant growth began to skyrocket in terms of formal membership, numbers of worshippers, and places of worship.<sup>121</sup> In 1990, the Cuban government lifted its 1962 ban on "casas cultos," or house-churches, which undoubtedly helped younger Protestant denominations, such as Pentecostal churches.<sup>122</sup> Estimates of the exact number of Protestants on the island vary. Quasi-official statistics from the government-sponsored think tank Centro de Investigación Psicológicas y Sociológias (CIPS) state that Protestants currently comprise about 3% of the Cuban population.<sup>123</sup> while religious historian Aurelio Alonso reports the number at 500,000, or 4.5%.124 The number of Protestant institutions would support a much higher number of adherents. Protestants currently boast more than 900 churches and other places of worship such as seminaries.<sup>125</sup> Protestants

<sup>&</sup>lt;sup>118</sup> Interview with Ofelia Riverón, Dir., Caritas Havana, in Havana, Cuba (Jan. 23, 2008).

<sup>&</sup>lt;sup>119</sup> See Rachel L. Swarns, Cuba's Protestant Churches: A Growing Flock, N.Y. TIMES, Jan. 29,

<sup>1998,</sup> at A1. <sup>120</sup> See generally Theron Edward Corse, Protestants, Revolution, and the Cuba-U.S. BOND (2007); GILL, *supra* n. 5.

<sup>&</sup>lt;sup>121</sup> Calzadilla, et. al., supra n. 72, at 9.

<sup>&</sup>lt;sup>122</sup> See CORSE, supra n. 19, at 138.

<sup>&</sup>lt;sup>123</sup> Calzadilla, et. al., *supra* n. 72, at 60.

<sup>&</sup>lt;sup>124</sup> ALONSO, *supra* n. 13, at 245.

<sup>&</sup>lt;sup>125</sup> See CORSE, supra n. 19, at 138.

also have publications and religious schools similar to Catholic schools. The Matanzas Evangelical Theological Seminary, which was established in 1946 to educate clergy and make Protestantism more accessible for lay persons, is flourishing.<sup>126</sup> A Superior Institute of Biblical and Theological Studies with similar goals was recently opened in Havana.<sup>127</sup>

The Council of Churches has continued to take primarily progovernment positions. Since the Opening, three of their prominent members have become members of the Cuban parliament: Baptist Minister Raúl Suárez, Presbyterian minister Sergio Arce, and Episcopalian minister Pablo Odén Marichal. Suárez has been criticized by Protestants who are not members of the Council for not doing more to voice dissent against the government.<sup>128</sup> Suárez directs the Martin Luther King, Jr. Center in Havana, a Baptist church and community organization which has been active in efforts to promote religious and racial equality in Cuba.<sup>129</sup> The Center is the only place in Cuba where religious books are published and sold,<sup>130</sup> thus allowing the government to maintain control over the dissemination of religious ideas.

As discussed above, the Cuban government regulates participation in the Council of Churches. Certain members of the Council of Churches have been selected to serve in the Government. Council members have limited autonomy to speak out against the government, but benefit from their increased political power. The Cuban government maintains close ties with the group but does not depend on the Council of Churches for its ability to function. By keeping Protestant elites within the fold of the government through corporatist mechanisms, the Cuban government marginalizes a religious group whose power is spreading rapidly throughout the rest of Latin America. Those Protestant groups not represented by the Council of Churches have decentralized organizational structures and are more difficult to regulate, much like the Afro-Cuban faiths.

# C. Impact of the Opening on Afro-Cuban Religions

Greater freedoms for Afro-Cuban religions were granted almost immediately after the fall of the Soviet Union, before the official Opening.

<sup>130</sup> Ham Interview, *supra* n. 28.

<sup>&</sup>lt;sup>126</sup> See http://www.cuba-theological-seminary.com/index.htm.

<sup>&</sup>lt;sup>127</sup> Calzadilla et. al., *supra* n. 72, at 60.

<sup>&</sup>lt;sup>128</sup> Jill Goldenziel, Anonymous Interview with Cuban Religious Leader, January 2007 (name withheld to protect interviewee).

<sup>&</sup>lt;sup>129</sup> Sarah van Gelder & Justine Simon, *Baptists and Popular Education in Cuba: An Interview with Joel Suárez*, YES MAG., June 12, 2007, http://www.yesmagazine.org/issues/latin-america-rising/1780.

The 1990 lifting of the ban on house-churches effectively legalized worship in the Afro-Cuban faiths for the first time since the Revolution, since Afro-Cuban rituals traditionally revolve around home-based ceremonies. Due to the informal nature of these house-churches, statistics on their numbers vary widely, with scholars citing numbers between 1,100 and 20,000.131

After the Opening of 1991, Afro-Cuban religions grew rapidly, like The Cuban government began to bring Afro-Cuban other faiths. organizations into its corporatist fold by giving official recognition to certain religious organizations. In 1991, the government recognized the Yoruba Cultural Center in Havana, which serves as an umbrella organization for Afro- Cuban religions. The Yoruba Cultural Center has approximately 40,000 individual members who are somehow involved in Center programming or share its resources. The Afro-Cuban religions are non-exclusive by nature, and this membership may be very loose for many people. People may come to the Yoruba Cultural Center seeking advice on what temples to attend in times of sickness or need, but will have little other contact with the Center.<sup>132</sup> Through official recognition and financial sponsorship of the organization, the government is able to monitor its activities.

Several other Afro-Cuban organizations have gained official recognition. The Abakuá religious organization has a long-standing place in Cuban society. Abakuá began as a slave society in 1836.<sup>133</sup> The group currently boasts 20,000 members in 158 clubs in Havana, Matanzas, and Cardenas.<sup>134</sup> As a slave society, Abakuá worked to buy slaves their freedom and to organize the labor force. Today, Abakuá is a men's group that mobilizes financial resources for the provision of social services. As a secret society, its workings are unclear, but they involve a fusion of religious practices from the Yoruba, Bantu, and Calabari traditions, including ritual objects, elders with knowledge, and lifelong pacts of fraternity.<sup>135</sup> The anthropologist Ivor Miller compares their function to Masonic lodges in the United States. Abakuá has had great influence in all types of Cuban popular music since the 1920s, and its reach as a symbol of national culture goes far beyond its male members. Since 1991, Abakuá

<sup>&</sup>lt;sup>131</sup> See CORSE supra n. 19, at 138-39.

<sup>&</sup>lt;sup>132</sup> Rubiano Interview, *supra* n. 59.

<sup>&</sup>lt;sup>133</sup> See Miller, supra n. 16, at 164.

<sup>&</sup>lt;sup>134</sup> Interview with Ramon Torres Zayas, Journalist & Abakuá Activist, in Havana, Cuba (Jan. 22, 2008). <sup>135</sup> See Miller, supra n. 16, at 161-88.

has remained a secret society, but it has become officially recognized by the government. Another 30,000 Cubans belong to the Comisión Organizadora de la Letra del Año, which was founded in 1980 and recently received government recognition.

Several official and unofficial organizations for babalawos, or Afro-Cuban spiritual leaders, also exist. Approximately 25,000-28,0000 babalawos live in Cuba.<sup>136</sup> Babalawos are known as tremendously charismatic figures embedded in the happenings of their local neighborhoods. They provide an enormous resource for social capital and for knowledge of communal needs.<sup>137</sup>

Another barometer of the growth of Afro-Cuban religion is participation in the annual Festival of San Lázaro, which continued to grow throughout the 1990s.<sup>138</sup> Since the beginning of the Special Period, the pilgrimage has also been a venue for rare public political protest in Cuba, with many pilgrims chanting anti-government slogans and carrying anti-Castro paraphernalia. While a few pilgrims have been arrested, the Cuban government has not banned the pilgrimage. The pilgrims' behavior suggests that religious practices may become a venue for political opposition where the government is unable to exact controls over the religious group's organizational structure.

Although Afro-Cuban groups do not attract the "religious tourism" of more established religious denominations, Afro-Cuban religious centers and individual babalawos attract millions of dollars to Cuba's economy.<sup>139</sup> The Cuban government has organized several conferences around its Afro-Cuban religious groups to bring tourism to the island, and attendees purchase Afro-Cuban goods and clothing that are marketed by the Office of Religious Affairs and the City of Havana.<sup>140</sup> Afro-Cuban societies receive little to no legal remuneration from the marketing of their goods and services.<sup>141</sup> In addition to material remuneration, the Cuban government also receives political goods from deregulating Afro-Cuban religions. The increased visibility of these faiths allows the Cuban government to reinforce the appearance of religious liberty while also promoting beliefs that undermine the hold of Catholicism.<sup>142</sup>

<sup>&</sup>lt;sup>136</sup> Rubiano Interview, *supra* n.59.

<sup>&</sup>lt;sup>137</sup> Calzadilla et. al., *supra* n. 17, at 65-78.

<sup>&</sup>lt;sup>138</sup> Hagedorn, *supra* n. 65, at 44 (discussion of the Festival of San Lázaro).

<sup>&</sup>lt;sup>139</sup> A. CASTRO FIGUEROA, *supra* n. 43, at 92.

<sup>&</sup>lt;sup>140</sup> Id.

<sup>&</sup>lt;sup>141</sup> Miller, *supra* n. 16, at 161.

<sup>&</sup>lt;sup>142</sup> A. CASTRO FIGUEROA, *supra* n. 43, at 91.

Despite a lack of assistance from foreign groups, these uniquely Cuban organizations mobilize an enormous amount of material resources in the community and provide social services and a political outlet. The soft political power and rapid growth of Afro-Cuban religions has not gone unnoticed by the Cuban government. The government began to restrict the casas culto in April 2005.<sup>143</sup> All casas culto must now register, apply for permits to operate, maintain a distance of two kilometers from other house churches of the same denomination, and limit gatherings to less than twelve people.<sup>144</sup> These regulations, along with the government's increased monitoring of more established Afro-Cuban organizations, suggest the Cuban government's concern about the political power of Afro-Cuban faiths. Although these groups are less formally organized and have fewer ties to the U.S. than more mainline religious denominations, their ability to quickly mobilize the Cuban population presents a political issue for the Castro regime.

#### D. Impact of the Opening on Other Religions

Minority faiths in Cuba have also flourished since 1991. The Jewish community in Cuba, which lost 95% of its population after the Revolution, is vibrant once again. The Jewish community's three synagogues provide a full range of social services including a pharmacy, a visiting doctor, medical equipment, laundry facilities, daily breakfasts, snacks, and Friday night dinners.<sup>145</sup> The Jewish community has maintained about 200 families due to a strong interest in conversion by Cubans with Jewish heritage. Although the Cuban government has no diplomatic relations with America or Israel, where most of the world's Jewish population resides, the Cuban Jewish community retains strong ties to both countries. The community is assisted greatly in its efforts by groups of American Jews traveling to Cuba on religious visas and carrying with them clothing and medical supplies. The community also helps arrange for emigration to Israel through a program with the Canadian embassy. Since this program with the Canadian embassy developed 15 years ago, about 120 people have emigrated to Israel.<sup>146</sup> Many of these Jews used Israel as a way station to get to the United States.<sup>147</sup> Adela Dworin, president of the Jewish

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<sup>&</sup>lt;sup>143</sup> CORSE, *supra* n. 19, at 139.

<sup>&</sup>lt;sup>144</sup> Id.

<sup>&</sup>lt;sup>145</sup> Interview with Adela Dworin, President Jewish Community of Havana, in Havana, Cuba (Jan. 27, 2007); Interview withYacob Berezniak, Community Leader Adath Israel Synagogue, in Havana, Cuba (Jan.25, 2008).

<sup>&</sup>lt;sup>146</sup> Berezniak Interview, *supra* n. 146.

<sup>&</sup>lt;sup>147</sup> Interview with Maritza Corrales Capestany, Author & Communist Party Member, in Havana,

community in Havana, denies that the recent interest in conversion has been a scheme to use religion to get out of Cuba.<sup>148</sup> Instead, she believes that the renewed interest in religion since 1991 has caused Cubans to be curious about their Jewish heritage and to rediscover that tradition. Indeed, Fidel Castro has previously shown support for the community's efforts to connect with Cuban Jewish heritage by attending a Hanukah party at the Jewish Community Center in 1998. Fidel's participation in the Jewish religious and cultural celebration brought legitimacy to Jewish observance in Cuban society.

Other minority faiths have grown since 1991. Cuba's first mosque opened in 2007, and many Cubans have been converting to Islam.<sup>149</sup> Buddhists are now too an officially recognized religious group in Cuba. Greek and Russian Orthodox Churches are being built on the island for the first time.<sup>150</sup> Religious revival in this formerly atheist state appears to be well underway.

#### VI. THE COSTS OF RELIGIOUS LIBERTY

Although religion did not pose a credible political threat to the Revolution in 1991, the Cuban government was aware that religious revival had become a potent political force in the post-Communist world and elsewhere in Latin America.<sup>151</sup> The Cuban government has thus taken precautions to ensure that religious groups do not threaten governmental authority. The Cuban government has incurred substantial monitoring costs by expanding its system of religious corporatism to include new official and semi-official organizations designed to monitor religion.

The Cuban government fears that the U.S. will attempt to exert political influence through its religious groups. These fears are not unfounded. The U.S. has sought to exploit the Cuban government's opening toward civil society and religion. In the mid-1990s, the U.S. adopted a policy of supporting dissident groups in Cuba, including the Roman Catholic Church, to foster a civil society independent from the Cuban Government.<sup>152</sup> As recently as 2004, the U.S. State Department's

Cuba (Jan. 27, 2008).

<sup>&</sup>lt;sup>3</sup> Dworin Interview, supra n. 146.

<sup>&</sup>lt;sup>149</sup> Dora Amador, *Acontecimientos Religiosos en Cuba*, EL NUEVO HERALD, Apr. 6, 2006, at 15.

<sup>&</sup>lt;sup>150</sup> Corrales Interview, *supra* n, 148.

<sup>&</sup>lt;sup>151</sup> See Stanislaw Burdziej, Religion and Politics in the Polish Public Square Since 1989, 33 REL. STATE AND SOCIETY 2, 165-74, at 170 (citing the Church's role in the collapse of communism in Poland). <sup>152</sup> Jorge Domínguez, An Increasingly Civl Cuba, FOREIGN POL'Y 100-02 (2000); Jorge I.

Commission for Assistance to a Free Cuba recommended that U.S. churches use humanitarian aid to Cuba to promote democracy.<sup>153</sup> The Cuban government has condemned such policies, and has taken steps to monitor religion to thwart U.S. aims.<sup>154</sup>

The Cuban government has significantly increased its costs related to monitoring religious groups since 1991. The Cuban government established the Office of Religious Affairs as an intermediary between it and religious organizations in 1962 and greatly increased its capacity in the early 1990s. The Office of Religious Affairs, directed by Caridad Diego, assigns representatives to each of the communities of faith in Cuba. These representatives sporadically attend the events of their assigned communities and bring any concerns of that faith community to the government. Religious leaders must also apply to the Office of Religious Affairs for permits to leave the country or to bring religious dignitaries from abroad into Cuba. Additionally, religious leaders must get permits to buy computers or other office equipment. The Office of Religious Affairs officially serves an administrative function. However, in its administrative dealings, the Office of Religious Affairs collects a wealth of information about the internal workings of Cuban's communities of faith.

The government-sponsored think tank Centro de Investigación Psicológicas y Sociológias (CIPS)<sup>155</sup> also serves to investigate the operations of religious organizations. CIPS was developed after the Opening of 1991. CIPS employs fifty full-time researchers, and a twelveperson division exclusively studies the workings of religious institutions in Cuba.<sup>156</sup> When CIPS was first established, some religious leaders were told that it was being organized to stop religion.<sup>157</sup> While this has not occurred, CIPS has gathered the most comprehensive collection of data on religious organizations within Cuba by contacting and interviewing religious leaders of all faiths throughout the country.<sup>158</sup>

To understand how the Cuban government uses these branches to control and gather information about religion, consider how the Office of

Domínguez, U.S. Policy toward Cuba in the 1980s and 1990s, 533 ANNALS AM. ACAD. POL. & SOC. SCI. 165-76 (1994).

<sup>&</sup>lt;sup>153</sup> U.S. Dep't of State, Commission for Assistance to a Free Cuba, Report to the President (2006), *available at* www.cafc.gov.

<sup>&</sup>lt;sup>154</sup> See Cuba to Reject US Aid, supra n. 91.

<sup>&</sup>lt;sup>155</sup> Centro de Investigaciones Psicológicas y Sociológicas, http://www.cips.cu/.

<sup>&</sup>lt;sup>156</sup> Interview with Ana Celia Perera, Director of Research Programs at Centro de Investigaciones Psicológicas y Sociológicas, in Havana, Cuba (Jan. 19, 2007).

<sup>&</sup>lt;sup>157</sup> Jill Goldenziel, Anonymous Interview with Cuban Religious Leader, January 2007 (name withheld to protect interviewee).

<sup>&</sup>lt;sup>158</sup> Perera Interview, *supra* n. 157.

Religious Affairs carefully monitors the workings of Caritas. Caritas is likely of particular concern to the Cuban government because of its worldwide organization and frequent contact with Catholic organizations in the United States. Caritas has a direct relationship with the Office of Religious Affairs and is sporadically requested to make presentations about their work and any problems they are having in their operations.<sup>159</sup> Caritas often must negotiate with the Office and with other branches of the government to get the equipment and resources that it needs to properly provide social services.<sup>160</sup> They do not have direct access to import equipment, which means that obtaining vital goods such as medical supplies and wheelchairs often involves a long negotiation process with several government agencies. They also cannot campaign for funds to conduct their work. Caritas professionals are often denied permits to travel abroad to obtain resources and foreign professionals are often denied visas to enter Cuba and work with Caritas.<sup>161</sup> All of their relations with the public are channeled through the government, which maintains controls on to whom they can market their programs.<sup>162</sup> Thus, the Cuban government carefully controls the welfare functions that it has entrusted to Caritas. The U.S. embargo compounds the difficulty by making it difficult for Caritas Cuba to work with Catholics in the United States or to obtain supplies from abroad.<sup>163</sup>

By giving the population limited access to religion and carefully monitoring the activities of these groups, the Cuban government has created tightly contained spaces for political dissent within the public sphere. The Cuban government regulates the contact that religious leaders can have with information and with the world at large. Religious leaders cannot travel in or out of the country without government approval, which is often dependent on the overall political climate.<sup>164</sup> Religious books may not be imported unless a list of names is first submitted to the government

<sup>&</sup>lt;sup>159</sup> Jill Goldenziel, Anonymous Interview with Cuban Religious Leader, January 2008 (name withheld to protect interviewee).

<sup>&</sup>lt;sup>160</sup> Jill Goldenziel, Anonymous Interview with Cuban Religious Leader, January 2008 (name withheld to protect interviewee).

<sup>&</sup>lt;sup>161</sup> Jill Goldenziel, Anonymous Interview with Cuban Religious Leader, January 2008 (name withheld to protect interviewee).

<sup>&</sup>lt;sup>162</sup> Jill Goldenziel, Anonymous Interview with Cuban Religious Leader, January 2008 (name withheld to protect interviewee).

<sup>&</sup>lt;sup>163</sup> Jill Goldenziel, Anonymous Interview with Cuban Religious Leader, January 2008 (name withheld to protect interviewee).

<sup>&</sup>lt;sup>164</sup> Riverón Interview, supra n. 119.

for approval.<sup>165</sup> Material resources arriving from abroad are subject to government investigation and approval. Religious organizations cannot expand or build new houses of worship without government permission. Religious groups must report regularly to the Office of Religious Affairs about their current activities and future plans, and the Office of Religious Affairs must approve any major or minor purchases, from new computers for administrative use to wheelchairs and other items for humanitarian assistance. Yet in public, the Cuban government is able to maintain the veneer of responsiveness to the demands of its people for greater freedom of expression.

Although Cuba's constitutional change to become a secular state appears to increase religious freedom, the Cuban government has greatly increased its efforts to regulate and monitor religion. The Cuban government will likely continue to allow religious liberty until the cost of monitoring its burgeoning religious life exceeds the benefits of economic growth brought by religious tourism and social service provision. When the costs outweigh the benefits, the Cuban government will need to decide if it can incur the financial costs of shutting down religious practice in Cuba and any accompanying public dissent. The Cuban government will have excellent information to estimate these costs because of its close tabs on religious organizations through the Office of Religious Affairs and CIPS. Alternatively, the government could cease its monitoring of religious groups, thereby further increasing religious liberty, and accepting the potential political consequences.

# VII. CONCLUSION: DEMOCRACY AT THE RELIGIOUS MARKETPLACE?

U.S. sanctions against Cuba have amounted to the sanctioning of faith on the island. Religious pluralism has flourished, Cuban believers enjoy greater freedom of religious expression than ever before, and flows of Bibles and bread from U.S. religious groups make religion increasingly attractive to Cubans. Meanwhile, the Cuban government monitors religion closely while reaping the economic and political benefits of religious freedom.

The Cuban story is also one of popular constitutionalism that reveals both the causes and effects of a constitutional change in a non-democratic state. Even when atheism was law, religious groups stealthily mobilized, which eventually spurred the Cuban government to give them greater

<sup>&</sup>lt;sup>165</sup> Ham Interview, *supra* n. 29.

constitutional freedoms. The resulting constitutional change had an enormous impact on the lives of Cuban religious believers, who began to practice their faiths in droves. Besides the domestic political dynamics between religious and political actors, religion provides a vital link between Cuba and the outside world. By facilitating the flow of information into Cuba and providing a material connection between Cubans and religious adherents elsewhere, Cuban religious organizations have facilitated pressure on the Cuban government to provide other liberties to its citizens, despite tight government controls. Even in socialist Cuba, the people's constitution<sup>166</sup> is, in some sense, alive and well.

To harness the power of religious groups to promote democracy in Cuba, the U.S. must first understand the Cuban government's corporatist relationship with religion. Democracy promotion through humanitarian aid organizations is complicated by the Cuban government's tight monitoring of religious organizations. Exertion of too much pressure through these channels may backfire, resulting in a crackdown on religious freedoms on the island. Aggressive U.S. programs explicitly linking humanitarian aid to democracy promotion, like those promulgated in 2004, are unlikely to succeed.

Yet in careful measures, the flow of foreign money into Cuba through religious organizations, particularly from the U.S., may stealthily promote political change in Cuba. U.S. religious and humanitarian groups may promote democracy through information flows and the encouragement of participation in civic and associational life.<sup>167</sup> Under the Bush Administration, the U.S. closed this window to Cuban democracy. The Office of Foreign Assets Control clamped down on perceived abuses of the religious visa, noting that the number of travelers to Cuba on religious visas increased when family visitation restrictions were tightened.<sup>168</sup> The Obama administration now may be opening the door to such aid once again. While the Obama administration has not taken action on religious visas per se, Congress in 2009 cited the need for improved U.S.-Cuban relations for regional relations,<sup>169</sup> and the Obama administration promptly

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<sup>&</sup>lt;sup>166</sup> See, e.g., Larry D. Kramer, The People Themselves: Popular Constitutionalism and Judicial Review (Oxford 2004); Bruce Ackerman, We the People Volume 1: Foundations (Harvard 1993).

<sup>&</sup>lt;sup>167</sup> See generally ROBERT PUTNAM, BOWLING ALONE: AMERICA'S DECLINING SOCIAL CAPITAL (1995); Pamela Paxton, Social Capital and Democracy, An Independent Relationship, 67 AMERICAN SOCIOLOGICAL REVIEW 2 (2002).

<sup>&</sup>lt;sup>168</sup> MARK SULLIVAN, CONG. RESEARCH SERV., CUBA: U.S. RESTRICTIONS ON TRAVEL AND REMITTANCES (2009).

<sup>&</sup>lt;sup>169</sup> Staff Trip Report to the Committee on Foreign Relations, United States Senate, 111th Congress, First Session, Feb. 23, 2009, at 12.

began to take some steps toward reconciliation with Cuba. On March 11, 2009, the Obama administration began to ease family visitation restrictions on Cubans, and has already signaled a willingness to engage in new diplomacy with Raúl Castro's government.<sup>170</sup> Concurrently, the Obama Administration has also increased its support for the provision of social services by faith-based organizations, as well as its support for interfaith dialogue abroad, thus creating a role for religion in its foreign policy agenda.<sup>171</sup> If democracy does reach Cuban shores along with U.S. correligionists, then religious organizations may serve as building-blocks for functional democracy in a society where freedom of assembly and conscience has otherwise been repressed. As the U.S. and Cuba inch toward normalization of relations, the Cuban government will have to struggle to ensure that the recent Cuban openness to God does not lead to openness to democracy.

<sup>&</sup>lt;sup>170</sup> Cuban Assets Control Regulations, 31 C.F.R. § 515.561 (2009).

<sup>&</sup>lt;sup>171</sup> Laurie Goodstein, Obama Plans to Broaden Faith-Based Office, N.Y. TIMES, Feb. 9, 2009; Daniel Burke, Obama Names Final Names to Faith-Based Council, RELIGION NEWS SERVICE, Apr. 6, 2009.