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THE MISSING CENTER? CUBA'S CATHOLIC CHURCH

WITH A PREFACE AND A POSTSCRIPT/REFLECTIONS

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PROLOGUE

The remarks immediately below, which were originally published in *The New York Times on the Web*, were written at a very special time—on the eve of Pope John II's January 1997 visit to Cuba—and with a very limited and specific intention.¹ The purpose was to provide the general U.S. reader some historical and socio-political perspective on the Cuban Catholic Church. In the interest of conciseness and simplicity, many crucial issues were not addressed in that text, including problems of race, class, and gender and, especially, the relation between Catholicism and Afro-Cuban religions. Rather than alter the integrity of the original by attempting a rewrite, I have chosen to use a postscript to reflect on some of these more complex questions and to suggest the relevance of the discussion to the concerns of Latino critical legal studies.

I. THE MISSING CENTER? CUBA'S CATHOLIC CHURCH

Cuba is on the map. Again. This time, however, it's not because of an exile invasion, a missile crisis, a mass migration, the shooting down of an airplane, or a new set of U.S. economic sanctions.

Pope John Paul II's pilgrimage to Cuba, the first ever by a pontiff in 500 years of Catholic presence on the island, has attracted more media attention to this nation of 11 million than any event in the country's history. The focus is mostly on the implications of the

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1. Max J. Castro, *The Missing Center? Cuba's Catholic Church*. THE NEW YORK TIMES ON THE WEB (visited Apr. 6, 1998) <<http://www.nytimes.com/library/world/012198church.html>>.

dramatic encounter between two forceful, aging leaders who embody staunchly-held but clashing philosophies—Karol Wojtyla, the Polish Pope and Fidel Castro, Cuba's communist president. Beyond the larger-than-life personalities and endless speculation about whether John Paul II's visit will lead to a change in U.S. policy and/or a transition to democracy in Cuba, there is a history and a context. These are key to understanding why and how what, until recently, seemed to many observers to be a very improbable event is now taking place.

One key is the Catholic Church in Cuba, its historical role in relation to national identity as well as its recent evolution and current status. As a child in pre-revolutionary late 1950s Cuba, I remember my father joining my mother and me at mass only on very special occasions—and usually under duress. My father, a self-taught philosopher with a fourth-grade formal education who published articles on Kant in leading Cuban cultural journals and lectured at international conferences, was fairly typical not only of intellectuals but, more generally, of Cubans of his generation and social class. "I invite you to carry out a study about the men of the world of culture and politics in Cuba during the last hundred years," Monsignor Carlos Manuel de Céspedes, a leading Catholic thinker in Cuba today, wrote in 1996. "How many . . . have been institutionally and sacramentally identified with the Church?"²

Not many, men or women. Not even José Martí, the 19th century intellectual, political organizer, and patriot who Cubans on both sides of the ideological divide acknowledge as the embodiment of the nation's highest values and aspirations. Before 1959, some Cubans practiced a nominal, social Catholicism; others practiced santería or other religions of African origin instead of or alongside Catholicism. The Cuban Catholic Church was not as daunting a force in the society as the Latin American stereotype would imply. And, a 1957 study found that while 73 percent of Cubans considered themselves Catholic, only 24 percent regularly attended Sunday mass.³

This kind of evidence has led many observers, such as the Cuban-American sociologist Lisandro Pérez, to describe the Cuban Catholic Church as a weak institution.⁴ As reasons, Pérez points to (1) Havana's historic role as an "immoral," freewheeling port city; (2) the scant resources available to the religious institution and the

2. CARLOS MANUEL DE CÉSPEDES GARCÍA-MENOCAL, PROMOCION HUMANA, REALIDAD CUBANA Y PERSPECTIVAS 75 (Fundación Konrad Adenauer: Caracas 1996).

3. Lisandro O. Pérez, *Cuban Catholics in the United States*, in PUERTO RICAN AND CUBAN CATHOLICS IN THE U.S., 1900-1965 156-57 (Jay P. Dolan & Jaime R. Vidal eds., 1994).

4. *Id.* at 147-48.

scarcity of priests in rural areas; (3) the rise in the 19th century of a type of sugar production based on massive slave labor, huge mills, and maximum efficiency, a concern which led mill owners to refuse to "economically support a religious presence" or "grant slaves the time to practice the sacraments, to receive religious indoctrination, and to observe Sundays and religious holidays;" (4) early and extensive competition from Protestant religions, aided and abetted by the first U.S. military occupation of the country (1898-1902) and the massive U.S. influence in the following decades; and (5) the alignment of the Catholic Church hierarchy, in the late 19th century, with Spanish colonialism against the Cuban independence movement.⁵

The result, Pérez points out, was that in Cuba, unlike in many traditionally Catholic countries, the Constitution established the separation of Church and state, public education was secular, and divorce was not only legal but could be granted merely upon the request of both parties. At the time of the revolution of 1959, Cuba was no Poland, and in the early years of a then-very popular regime, the confrontation between Church and state was no contest.

But there is another side to this picture. If the Cuban Catholic Church was so fragile, how did it survive the challenge of a revolution, asks Monsignor de Céspedes?⁶ The Catholic Church in Cuba was no leviathan. It was something else, though: foundational, a tree often battered by hurricanes but resilient, deeply rooted in the soil, and intertwined with other vegetation. The Virgin of Charity, Nuestra Señora de la Caridad del Cobre, the patron saint of Cuba, whose image appeared circa 1608 to Juan Moreno, a black slave, and to the brothers Juan and Rodrigo de Hoyos, Indians, is an enduring presence in Cuban culture and an emblem of national identity that transcends eras, social classes, racial differences, even ideological debates. Of the priest Felix Varela (1788-1853), it is said by Cubans that "he first taught us how to think." To think in Cuban, adds de Céspedes.⁷ José Martí was foremost among those who, indirectly, absorbed Varela's teaching; he used them to launch Cuba toward the path of modern nationhood.

5. *Id.* at 149-57.

6. "[B]ásteme recordar que si la Iglesia Católica en Cuba fuese esa realidad tan frágil, especialmente empactada y poco enraizada en la vida del pueblo cubano que muchos han afirmado en años recientes, no habría podido sufrir el embate del marxismo-leninismo . . ." ("Let me just recall that if the Catholic Church in Cuba were that fragile in reality, so little rooted in the life of the Cuban people as many have asserted in recent years, it could not have withstood the battering of marrxism-leninism . . .") Carlos Manuel de Céspedes García-Menocal, *Los Enigmas De Turandot, La Iglesia Católica Y La Cuba Unica*, 6 (Feb. 27, 1996) (unpublished manuscript, on file with author).

7. DE CÉSPEDES G., *supra* note 2, at 30. See generally, JOSEPH MCCADDEN & HELEN MCCADDEN, *FATHER VARELA: TORCH BEARER FROM CUBA* (1969).

The Republic about which Martí dreamed was plagued by many problems. The revolution of 1959, led by Fidel Castro, who overthrew the Batista dictatorship, promised to solve them all. Many Cubans, probably a clear majority, supported the revolution as it lurched leftward far beyond anything Castro had ever hinted at. Others, including probably a majority of the middle class and most Catholics, became increasingly disaffected. By 1959, the Church in Cuba had recovered substantially from its low point at the turn of the century and had developed a network of institutions, even a university. In the early 1960s, Church leaders opposed the revolution's drift toward communism. The Cuban government responded by cracking down. On September 17, 1961, 131 priests were expelled. Others fled the country. Between 1960 and 1965, the number of priests in Cuba fell from 723 to 226.⁸ Catholic schools were taken over by the government. A substantial portion of the Catholic flock went into exile. Others went underground and took up arms against the government. Most were caught, and many of those were executed, shouting "¡Viva Cristo Rey!" as they faced the firing squad. Church attendance plummeted. Some of the religious who remained ended up in prison or in work camps, along with others considered social undesirables by the regime, including homosexuals. One of the alumni of the work camps is Jaime Ortega, currently archbishop of Havana and only the second cardinal ever in Cuba's long Catholic history.⁹

It is not too surprising, then, to find, in a book published by the Conference of Cuban Bishops in 1995, which contains 100 key Church documents issued over the last forty years, an eight-year silence (1961-1969).¹⁰ More interesting is the change in tone and content over this time. "Rome or Moscow?" asked Enrique Pérez Serantes, archbishop of Santiago de Cuba, in a 1960 document.¹¹ In the last document from this period, dated February 11, 1961, Archbishop Pérez Serantes stated that he must disapprove of communism, for otherwise he would have to renounce that which he dearly loved, Cuba and Christ.¹² The next document, dated April 10, 1969, betrays an entirely different set of concerns, as well as the influence of Vatican II and the 1968 conference of Latin American bishops, held

8. See generally, Pérez, *supra* note 3 (explaining the context for the drastic reduction in the number of priests on the island).

9. See generally, JUAN CLARK, RELIGIOUS REPRESSION IN CUBA (North-South Center, University of Miami 1985) (presenting the views of a conservative Cuban-American scholar on the issue of religious persecution).

10. See CONFERENCIA DE OBISPOS CATÓLICOS DE CUBA, LA VOZ DE LA IGLESIA EN CUBA, 100 DOCUMENTOS EPISCOPALES (Obra Nacional de la Buena Prensa: Mexico, D.F. 1995).

11. *Id.* at 135-141.

12. *Id.* at 170.

in Medellín, Colombia, both of which pointed toward a more socially active Catholic Church.¹³ A passage in the 1969 document, signed by the Cuban Conference of Bishops and addressed to priests and the faithful, speaks of the injustices caused upon small, weak, underdeveloped nations by the unjust structure of international relations. "Is this not the case of the economic blockade [U.S. embargo] that our people have been subjected to, the prolongation of which heaps grave inconveniences on our fatherland?" it asks.¹⁴ These injuries, the Bishops add, fall mainly upon rural and urban workers, housewives, children and youth, the sick, and families separated from their loved ones.

What happened to change the tone from the strident anti-communism of the early years of the revolution? The Church had not died in the 1960s, but it was in critical condition. Having tried confrontation in the early 1960s and having been nearly crushed, the Cuban Catholic Church, with help from a succession of Papal nuncios, adopted a long-term strategy of quiet diplomacy aimed at bridge-building. This approach has been sharply criticized by those who believe the Church should have spoken out loudly against human rights abuses. What is clear is that the change ensured the institution's survival, and that it meant that the Church that emerged from the abyss would not be one looked upon favorably by those who have never changed their strategy or their language, especially hard-line exiles in the United States.

A remarkable document, the final report of the Cuban National Ecclesiastic Congress held in 1986, describes the evolution of a new vision within the Cuban Catholic Church, which now "feels called to embody an attitude of reconciliation and dialogue at a national level"¹⁵ "The Church" the document goes on to say "went from an acceptance of the reality of the socialist character of the revolution, without antagonizing the socialist project as such, to a coincidence in the fundamental objectives in the field of social development: public health, education, the availability of work for all, satisfaction of basic needs, etc."¹⁶

Relations between the Church and the state generally improved, and in 1992 the Cuban constitution was changed to remove official atheism. But the regime continued to place severe restriction on the Church, including barring access to the media, a practice that has continued, broken only now as a direct result of the Pope's visit.

13. *Id.* at 171-176.

14. *Id.* at 175.

15. CONFERENCIA EPISCOPAL CUBANA, ENCUENTRO NACIONAL ECLESIAL CUBANO: DOCUMENTO FINAL E INSTRUCCIÓN PASTORAL DE LOS OBISPOS 42 (Editora Amigo del Hogar: Santo Domingo 1987).

16. *Id.*

The revival of the Cuban Catholic Church had begun before the implosion of the Soviet bloc, but that momentous event gave it considerable impetus. Increasing attendance at mass and growing interest among young people are the most obvious indicators of a renewal. The magnitude of that rebirth is open to debate, but it is fair to say that Catholicism is attracting a growing minority of Cubans.

In the context of the crisis set off by the collapse of the Soviet Union and of the unbelievable hardships that this event, along with the hardening of the U.S. economic embargo, have visited upon the Cuban people, the Catholic Church in the last five years has begun to speak in a more forceful and critical way. A landmark 1993 message by the Bishops, *El amor todo lo espera* ("Charity hopeth all things") explicitly denounced the "exclusionary and omnipresent character of the official ideology," the absence of freedom, the excessive reach of the security apparatus, the high number of people imprisoned for actions that should not be considered crimes, and discrimination on the basis of philosophical, political and religious ideas.¹⁷ The Bishops called for a broad, pluralistic dialogue among Cubans leading to national reconciliation and the resolution of the country's crisis.

The 1993 pronouncement, which also denounced the U.S. embargo, drew a sharp response from the government and criticism from a leading Catholic intellectual who supports the revolution. But the Bishops have continued to speak out: in 1994 deploring the sinking of a tugboat of refugees leading to the death of many men, women and children; in 1996 criticizing the shooting down of two "Brothers to the Rescue" airplanes by the Cuban air force, the regime's banning of a meeting of dissidents, and the enactment of the Helms-Burton law by the U.S. government.¹⁸

None of this prevented a meeting between Fidel Castro and the Pope at the Vatican in 1996, which set the stage for Jean Paul II's current trip to the island. The Pope clearly hopes to give a decisive boost to the Catholic Church's recovery in Cuba, thereby automatically strengthening the single force in Cuban society—on the island or in the diaspora—that stands for change through dialogue and reconciliation. Fidel Castro, for his part, probably hopes to send a message to the world—and particularly to U.S. and international public opinion—that he can be friendly and flexible even with those who have sharply contrasting ideologies and who in the context of the Cold War were objectively his enemies, just as long as they ap-

17. MENSAJE DE LA CONFERENCIA DE OBISPOS CATÓLICOS DE CUBA, *EL AMOR TODO LO ESPERA* (I COR. 13.7) 10-14 (1993).

18. See CONFERENCIA DE OBISPOS CATÓLICOS DE CUBA, *supra* note 10, at 445-46.

proach him through diplomacy rather than coercion and are not determined to undo his revolution.

The Cuban Catholic Church is not a political party, but if it were, it would be that missing link in the Cuban political universe, a party of the center, of moderation and dialogue, somewhere between exile hard-liners and communist diehards, with bridges open in both directions. It would be a nationalist party averse both to the confrontational excesses that the Cuban regime has often engaged in vis-a-vis Washington and to the tight alliance with the U.S. government—and specifically with some of the most reactionary forces in U.S. society—that has characterized much of the anti-Castro exile struggle, from the CIA-directed Bay of Pigs invasion in 1961 to the Helms-Burton law of 1996. Economically, the Church-as-party would attempt to break from the inefficient state-run economic structures in place in Cuba while doing everything possible to prevent the vulnerable from paying the price for change.

The Cuban Catholic Church is not a political party, but it can, in the words of a leading Cuban Catholic clergyman, “offer itself as a bridge and space for the necessary dialogue,” national and international, that can lead away from the vicious cycle of confrontation and hatred and offer the people of Cuba a more democratic and prosperous future. The Pope’s visit to Cuba surely will shore up that bridge and widen that space that a reborn Cuban Catholic Church proposes as an alternative to the bloodshed, resentment, division, and isolation of the past.

II. POSTSCRIPT/REFLECTIONS FOR LATCRIT THEORY

The evolution that the Cuban Catholic Church has undergone in recent decades reflects broader changes that have taken place in the Church in Latin America. Such changes suggest the inadequacy of a static, ahistorical, unidimensional or manichean view of the role of religion(s) in resisting or overcoming oppression.

With respect to the Cuban Catholic Church itself, this insight is underlined by certain tensions that surfaced during the Pope’s visit which point to the persistence of condescending attitudes with respect to Afro-Cuban religious traditions. Cardinal Jaime Ortega’s explanation of why representatives of the santería religion were not invited to the ecumenical meeting with the Pope—that santería does not represent a separate religion from Catholicism but rather a form of popular religiosity within—was hardly convincing to the *balaios*.¹⁹

19. See Juan O Tamayo, *Santeros cubanos encaran discriminación ante visita papa*, EL NUEVO HERALD, Jan. 12, 1998, at 1A.

The fact that the Cuban Catholic Church is playing or could play an extremely constructive role—as a mediating force between authoritarian extremes, serving as witness, alleviating suffering, and denouncing injustices (whether it be the U.S. economic war against Cuba or acts of violence and repression by the state in Cuba)—does not mean that even now the Church plays a liberating or anti-subordination role in every instance.

The effort to subsume or assimilate *santería* may be seen as openness on the part of the Church but also, and more disturbingly, may reflect a denial of the full equality and dignity of *this difference*.²⁰ The Cuban Catholic Church played no significant role in opposing slavery, and it is still coming to terms with the idea that while Catholicism is foundational, it is not the only stone on which national identity is built. “Sin el negro Cuba no sería Cuba,” wrote Fernando Ortiz, one of the deepest thinkers on questions of Cuban national identity.²¹ African religious and cultural traditions are as foundational as Iberian/Catholic ones. La Virgen de la Caridad is associated with Ochún. Or is Ochún associated with the Virgin of Charity? The Catholic Church has yet to be successful in reflecting, within its own ranks, the racial diversity of the nation. Currently, only a handful of priests in Cuba are of color. This in a nation in which, by most accounts, a clear majority is black or of mixed race. To the extent that the Cuban Catholic Church of the 1990s is committed to working with and for the poor, overcoming—perhaps for the first time in its long existence on the island—its association with the more affluent sectors of society, can it succeed if its complexion does not reflect the face of the nation?

Gender is another problematic dimension. A distraught friend, a Cuban woman who lives in Mexico, in an email sent during the Pope's visit, wrote me to say that “the right to control our bodies, the right to abortion, is one of the few things we women have gotten in return for enduring the hardships of Cuban socialism.” Cuba is the only country in Latin America where women do not have to risk dangerous backroom abortions; the state provides free abortions on demand.²² Listening to some comments by Cuban President Fidel Castro to the effect that he personally does not approve of abortions, and having just heard the Pope's diatribe on the issue delivered at a

20. See Enrique Patterson, *Entre el poder y la gloria*, EL NUEVO HERALD, Feb. 16, 1998, at 13A. See also *La Iglesia: volviendo a las andadas*, EL NUEVO HERALD, Jan. 19, 1998, at 16A.

21. FERNANDO ORTIZ, *ETNIA Y SOCIEDAD* 136-40 (Editorial de Ciencias Sociales, La Habana 1993) (Ortiz's writings offer a penetrating analysis of racial and cultural issues in pre-revolutionary Cuba.).

22. See generally, LOIS M SMITH & ALFRED PADULA, *SEX AND REVOLUTION: WOMEN IN SOCIALIST CUBA* (Oxford University Press 1996) (examining gender issues in revolutionary Cuba).

Mass in Cuba, she wondered if Cuban women might not be the losers in a Church-state rapprochement. Making abortion illegal is unlikely under the current system. Castro's position is identical to that of many U.S. politicians. Essentially, he is personally opposed but pro-choice as far as policy. But, judging from the experience of Eastern Europe, the criminalization scenario cannot be ruled out in a post-communist Cuba, especially if the Catholic Church were to grow into a more commanding presence in the intervening period.

Notwithstanding the vast difference in the context, the Catholic Church in the United States plays a role not unlike the complex and contradictory one described above for the Cuban Catholic Church. In the U.S. the Catholic Church is one of the few strong voices around these days for dignity for immigrants and for the rights and interests of the poor and against the death penalty. But Church positions on abortion, the ordination of women, and homosexuality place it significantly at odds with progressive movements in this country.

Perhaps the most reasonable course for us to assume vis-a-vis the Catholic Church is one of reflection and dialogue. We need to understand the institution more deeply rather than in a stereotyped and summary fashion. We need to affirm and defend our positions openly but not self-righteously, accepting that orthodox Catholics may not share them, and demanding equal respect for ourselves and our views.

As a non-believer, I have no problem asserting that, in this world increasingly dominated, alienated and disenchanted through the iron rule of global capital, the Catholic Church, in its current incarnation, defends and upholds certain human values more effectively than almost any institution on the planet.

