

# Cuba and Hijacking

By William E. Ratliff

STANFORD, Calif.—On Nov. 25 the United States and Cuba began negotiations on an antihijacking pact in Havana. Press coverage of the talks and their possible significance has been extensive but often superficial, leading to an uncritical enthusiasm for the anticipated pact and to wishful thinking and overly optimistic speculation on an easing of tensions between the U.S. and Cuba in the near future.

The general impression one gets from recent news reports and U. S. Government statements is that the two governments have simultaneously and more or less equally softened their previous stands on hijacking in order to end an intolerable chain of air piracies. But the impression does not fit the facts. The terms proposed for a "broad agreement" on the Havana radio broadcast of Nov. 15, which were so warmly welcomed in Washington, were nothing new. Substan-

tially the same terms have been available since the publication of Cuban Law 1226 in September 1969. For three years the U. S. Government found this package unacceptable.

Now the U. S., under heavy pressure to "solve" the hijacking problem, has reversed its previous positions on several important issues and may in the end accept most of the 1969 package, including terms many Americans, however much they want an end to the hijacking, will find highly objectionable. The most important of the "details" to be worked out is the definition of "hijacker." Will the pact cover only those who have committed an act of violence, as recent reports suggest, and if so, what will be considered an act of violence? If "violence" against property (i.e., stealing, as of a boat) is included, then the Cubans will have accomplished one of their chief objectives since 1969: They will have closed the doors of the U. S. to any Cuban who lacks an exit permit from the Cuban Government. This un-

acceptable limitation on the right of asylum would set a dangerous precedent and be unworthy of this country. One should not be misled into believing that the resumption of the refugee airlift will be an adequate alternative. Many of the 700,000 Cubans who have already fled to the U. S.—and presumably others in Cuba today—could not have received or did not wish to seek Government permission to leave their country.

More broadly, are the hijacking negotiations a breakthrough which could lead to a resumption of U. S.-Cuban relations in the near future? I think not, and suggest that speculation along this line has been fed by the mistaken belief that Cuba has "come halfway" to reach a hijacking agreement. If a change comes during the Nixon Administration, and it is quite likely that one will, it almost certainly will not be as a direct result of these talks.

The problem of U. S.-Cuban relations is in reality a problem of U. S.-Cuban-

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Soviet relations. The Soviet Union, with substantial and increasing influence in and on Cuba, evidently feels now that its position in the hemisphere would be strengthened and its economic burden in supporting Cuba lightened if Cuba had better relations with the U. S. Thus an easing of U. S.-Cuban tensions could come first from armament understandings reached in Moscow, or as a result of Soviet influence and pressures on Premier Castro, the latter no easy approach with the headstrong Cuban leader.

Ultimately Fidel Castro himself must be recognized as the main obstacle to better U. S.-Cuban relations. In 1971 Castro said the U. S. was "almost longing for a gesture from Cuba" which would make improved relations possible, but that no gesture would be forthcoming—only unconditional demands. Though there have been a few indications in recent months of a slightly more conciliatory attitude, he still stresses the demands and refuses to discuss existing differences.

What should U. S. policy toward Cuba be at this time? In the O.A.S. we should quietly go along with the majority opinion on the sanctions while reassuring those countries which still fear or experience Cuban intervention in their internal affairs. Bilaterally, we should go slowly. We have legitimate grievances from the past which the Cubans still ignore and cause for concern at the Soviet military presence in Cuba today. We should not appear to be "longing for" a gesture from Castro, though we should pay close attention to any apparent changes in Cuban attitudes and policies. After all, Fidel Castro is only a "roaring mouse" on the international scene. There is no need to rush into a new relationship with him. When he becomes less intransigent and contemptuous of U. S. interests it will be possible to speak seriously of an easing of tensions and of a real improvement in U. S.-Cuban relations.

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