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Changes in Cuba's Migration Policy and Its Impact on Baseball

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ABSTRACT

Baseball is an essential constituent of the Cuban national identity. For nearly a century, Cuban baseball players had joined high-ranking international leagues, including the Negro Leagues and Major League Baseball (MLB) of the United States. After the triumph of the Revolution in 1959, the professional practice of sport was banned in the country. On the other hand, the revolutionary government instituted migration rules that disallowed Cuban citizens to travel abroad freely. Until the collapse of the Soviet Union, the Cuban national baseball team reigned in amateur competitions worldwide. Sporting successes in general and those of baseball in particular, were managed by the government as a political tool; the government used to display the loyalty of the athletes as a triumph of the Cuban system. However, since the nineties there has been a growing departure of Cuban top baseball players who have had the target of entering in MLB franchises, disregarding that the Cuban migration policy had remained unwavering. On the other hand, after the enactment of changes in the Cuban migration policy in 2013, the unconventional departure of high performance baseball players has increased sharply. The relationship between the migration reform and the increased leakage of baseball players has not been studied by scholars. The relevance of this paper is that it is the first academic approach to that relationship. This paper discusses the migration reform in Cuba and focuses mainly on its impact on baseball.

Key words: Baseball, Communism, Cuban Revolution, Migration Policy, MLB.

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1.0 Introduction

This paper focuses on the relationship between migration policy and baseball in Cuba. Baseball is a crucial component of Cuban national identity. Since the triumph of the Cuban Revolution in 1959, the state established an inflexible policy on migration issues. As was the case of the population in general, baseball players were not allowed to freely travel abroad as the success of Cuban baseball was displayed as an achievement of the system and handled as a political tool.

Recently, there have been some changes in migration policy in Cuba. Since this is an ongoing phenomenon, there are not still many academic researches on this. Simultaneously with the migratory changes it is shown an increase in the irregular output of high performance baseball players. This new situation implies a significant change in the behavior of the Cuban athletes. The relationship between the migration reform and the increased leakage of baseball players has not been studied by scholars. The relevance of this paper is that it is the first academic approach to that relationship. Consequently, this paper has the purpose to disentangle the impact of Cuba's migration reform on the increasing outflow of baseball athletes.

The status of baseball in Cuba is analyzed from the point of view of the changing cultural values operated by the revolutionary process. In this essay the relationship between politics and baseball in Cuba is described through basis of loyalty. Accordingly, a major goal of this study is to evaluate the changes caused in the understanding of that loyalty in recent years. The continuous leakage of elite athletes is seen as a counterpart to the inflexible migration police. In the case of baseball, the fundamental aim of the athletes that escape is to get a contract in Major League Baseball (MLB) in the United States. On the other hand, despite the fact that the Cuban government introduced changes in its migration policy in 2013, the flow of prominent players who migrate illegally has increased. In summary, as there are diverse causes that force young athletes to flee their homeland, this paper seeks to explain the grounds for the illegal migration of Cuban top players in recent years, and demonstrate that the migration reform of 2013 did not mean a decrease in this trend but just the opposite.

On January 14, 1962, during the opening ceremony of the Cuba's first National Baseball Series, Fidel Castro stated: "This is the triumph of free baseball over slave baseball". A few months earlier, the Cuban government had forbidden the practice of sports professionally, which would have a significant impact on baseball, considered the national pastime of Cubans.

In the nineteenth century, baseball was introduced in Cuba and its practice was widespread at a time when the consolidation of national identity was taking place; therefore, baseball is an important ingredient of nation and of national culture (Pérez, 1994; Alfonso, 2007).

For nearly a century, dozens of Cuban baseball players successfully played in various leagues outside of Cuba, including the Negro Leagues and Major League Baseball in the United States (MLB). Moreover, the level of Cuban baseball on the Island became so prominent that in 1946 a new MLB franchise named *Havana Cubans* settled in Havana (Bjarkman, 2007). The team representing this franchise, the *Havana Sugar Kings*², Triple A affiliate of the Cincinnati Reds, had an impressive performance up to 1959. As a result of this, it was being considered as a potential first non-American-based franchise to become a MLB team³. However, changes in Cuban society after the Revolution of 1959 had a negative impact into that possibility.

In 1960 the government of Fidel Castro decreed the nationalization of foreign companies and, therefore, the headquarters of the *Havana Sugar Kings* moved to Jersey City. This situation, coupled

² Also known as the *Cuban Sugar Kings*.

³ The first not US-based team that joined MLB was the Montreal Expos in 1969, some years later it was replaced by The Toronto Blue Jays.

with the decision to ban the practice of professional sport, provides the appropriate context for analyzing the scope of the above statement by Fidel Castro in 1961.

2.0 Understanding the concept of freedom and its effect on baseball

There is no absolute and unique definition of the concept of freedom. Besides, the various academic definitions of freedom make up a very dark constellation. The idea of freedom is distributed throughout these particular concepts, meanings or determinations (García Sierra, 2001) and what is beyond doubt is that it refers to human freedom. Berkouwer (1962) has argued that it is man's freedom which is under discussion, the freedom of the human being who chooses, who behaves and continues to live in freedom. The concern of human freedom has always been present in the history of philosophy. As Baker points out, "after centuries of reflection, the issue of human freedom remains vital largely because of its connection to moral responsibility" (2005, p.1). Furthermore, if we define willing something as making a choice, then an act of will is volition. In choosing something, there are two possibilities: do it voluntarily or involuntarily. If it is done voluntarily, then it must have been an act of will (Morrison, 1997).

Nevertheless, human freedom can only be analyzed in the context of the interrelationship of individuals with the state apparatus. According to traditional liberalism, "the state should protect individual freedom without dictating the goals and purposes espoused by free people" (Christman, 1991, p. 343). However, this is part of the fuzzy border between the concepts of positive liberty and negative liberty (Berlin, 1969). Certainly, to avoid debauchery and free will, a civilized society establishes rules and regulations. The challenge is to determine which are the aspects that should be regulated, by describing a line between the space of private life and that of public authority. In the concept of freedom of the Cuban revolutionary government, that line became misleading.

To summarize, it is worth going to the Hobbesian thought about which a free person is one who, in those things he/she can do by virtue of his/her own strength, cleverness, skills and ingenuity, is not prevented in the embodiment of what he/she is willing to carry out (Hobbes, 2006). Contained by the government view that imposed the idea of a broader cultural change with the revolution, strength, cleverness, skills and ingenuity of the Cuban athletes are a heritage of the nation and thereby of the State. Some scholars argue that Cuban athletes have been converted into a kind of gladiators representing Cuban State at international competitions as they "are considered state property with their individual rights routinely ignored" (Henke, Celaya & Castellanos, 2013, p.396).

Despite being an abstract term, the concept of freedom always carries a historically concrete connotation. The quality that distinguishes freedom is associated with historical reference conditions and, therefore, its interpretation and meaning may vary depending on the context and specific subjectivities of each historical moment. Beyond the physical, psychological or emotional implications, in each case, and disregarding the different philosophical views on the concept of freedom, there is a feature of freedom that is intertwined with the whole spectrum of interpretations: human freedom which includes an inseparable relationship with individual will and personal desires, though its application is always subject to certain social standards.

For Fidel Castro in 1961, the intent of the message is to identify his idea of justice with the general meaning of freedom. Accordingly, the denial of all that is not generated by the new social order implies the idea that only it is free what is not contaminated by the past. In other words, Fidel Castro assumed that his revolution is synonymous with freedom and by denying the values of the previous society, he is rejecting slavery. This is a vision of social change that covers all areas of the nation and, being a totalitarian perspective of social justice, also includes sports. Therefore, the government's goal of changing sporting consciousness is associated with the proposal of a wider cultural change in line with social and political transformations (Bunck, 1994).

However, this vision of freedom restricts its operation to the national superstructure level and ignores individual desires. Longings of baseball players as individuals are canceled in the name of a freedom concept that has been designed from a position of power.

The proscription of professionalism in sport, in conjunction with the identification of the triumph of the revolution as the realization of freedom and, therefore, all within the new regime as a synonym for freedom, even extends to the new way of organizing and developing sports. In fact, the new way of organizing baseball practice, with the interference of political authorities, is presented to the public as the establishment of freedom in sport.

The so-called free baseball, therefore, is nothing more than the establishment of organizational standards by government authorities that regulate sports policy and also impinge on individual freedom of the athletes. With the establishment of the national baseball series in 1961, Cuban baseball players who have demonstrated sporting quality and had the necessary political backing (loyalty to the government) became part of the staff of the new teams created on behalf of the different provinces of the country. Athletes could only belong to teams in their respective provinces of residence. Since there is no professionalism there is no free contract, teams are not enterprises but are funded by the political authorities of the territory they represent. In Cuba, as Baird (2005) has pointed out, political judgments determine the distribution of players' salaries as well as the integration of teams and the management of athletic skills.

3.0 Baseball, politics and migration policy in Cuba

Baseball players in Cuba receive a sport license and earn a wage that is given by the state through a workplace to which they are formally assigned. Therefore, they are not professional players as they don't have a signed contract to play baseball. On the other hand, they are professionals themselves because that is the only activity they perform. As Calzadilla (2014) argues, full-time training, extolling the prestige of the regime and making the masses follow robotically was and is their true profession. Baseball and other sports where Cuban athletes have shown belonging to the world elite quickly became a political weapon for the Cuban revolutionary government.

For decades, sports triumphs by Cuban baseball teams in international competitions have been shown as a result of the established social system and a triumph over capitalism (Price, 2000). The involvement of senior figures from the government (especially Fidel Castro) in making decisions about the composition of the national team and tactics and strategies to address baseball teams of the United States, as if a ball game meant a matter of national security, highlights the importance given to baseball as a propaganda weapon. As Almaguer (2011) has pointed out "when competitions between Cuba and the US are broadcast in a shameful display of «them vs. us» (...) they are extending sports into the government's policy of war".

Until the eighties, baseball in Cuba remained a reflection of the supposedly ideological purity that political authorities demanded of athletes. Yet at that time the Cuban social system had the image of a project capable of fulfilling dreams. The loss of confidence in the project and the awareness of frustrated longings affected all areas of society following the collapse of communism in Eastern Europe and the USSR. The deep economic crisis generated by those events showed that the Cuban social project had lost its authenticity and was immobilized by the economic dependence on the Soviet contributions.

Emerging measures to counter the effects of the crisis such as dollarization, openness to international tourism and foreign investment, led the way toward increasing social differences, the finding of individual frustrations and changes in the scale of moral values. Baseball was no stranger to this process and since the nineties has revealed an increasingly rising wave of dropouts of high-performance athletes. In addition, little by little, the population has been progressively strengthened by the vision that leakage is a natural tendency instead of an act of treason. A study of everyday lives of

Cuban baseball fans and their views on the getaways of the players (Eastman, 2007) suggests that the context of the deep economic crisis in Cuba has led to an agile rethinking of Cuban culture.

In little more than half a century since the coming to power of Fidel Castro in 1959, migration has been a constant phenomenon. Although it has diversified into several countries, Cuban migration is primarily to the United States. We can distinguish several stages in the Cuban emigration, with moments of massive waves and periods of relative calm. However, there have also been differentiated pathways for migration: outputs called "legal" with the approval of the authorities and the so-called "illegal". The latter are mainly by sea and at high risk conditions, either in rickety boats (*balseros*) or by human trafficking operations. Cuban authorities use the terms "legal exit" and "illegal exit", the latter a crime under the Cuban Penal Code, in which Chapter XI, Section Two, Article 216.1 being noted: "who, without completing legal formalities, exit or perform any act aimed to leave the country, shall be punished by imprisonment of one to three years or a fine of three hundred to one thousand shares". It also entails the penalty of deprivation of liberty "whoever provides material assistance or information or facilitates in any way the illegal departure of people of the country", according to Article 217.2⁴. Since the agreements signed with the United States in 1994-1995, the government of Cuba has changed the treatment to those who attempt to leave the country without documents; it has ceased to punish criminally and has considered them as violators subject to fines and forfeitures but not imprisonment.

Until the signing of these agreements on migration issues in 1994 and 1995, undocumented departures were mostly from the northern coast of Cuba to Florida. The situation changed as a result of these agreements when the American authorities began to implement the wet feet-dry feet policy. The returning to Cuba by American authorities of migrants intercepted in the Straits of Florida (*wet feet*) influenced the search for new routes for irregular migration (Moreira, 2010), although the traditional routes have not entirely disappeared. In the past decade, the number of Cuban migrants who enter the United States through the northern border of Mexico (*dry feet*) has increased. Cuban migrants arrive in Mexico from Cuba by sea or by land through Central America. An increase in the number of Cuban migrants entering the United States by Puerto Rico after crossing the Canal de la Mona from the Dominican Republic has also been reported.

The Cuban migration patterns have changed since the sixties; the routes of irregular migration have also varied. However, the Cuban migration policy remained unchanged until 2013. Until the introduction of recent changes in Cuban migration policy, citizens interested in traveling abroad, as immigrants or as tourists, needed special permission from the authorities. The special permit, known as white card (*tarjeta blanca*), in addition to a price equivalent to USD 150, was preceded by cumbersome administrative procedures and not necessarily being awarded in all cases. From 2013, as part of the process of change that the current Cuban government has been advertising, the main obstacles to documented migration were removed as well as to temporary travels abroad for personal reasons. These changes include the elimination of the white card and the two-year extension to the timed thresholds of the exit permit (before permission was thirty days, extendable to eleven months with the respective subscriptions monthly fees for the temporary extension).

This implies that any Cuban citizen provided with a valid passport and the appropriate visa issued by the country of destination is considered free to travel abroad. However, the new government measures include stipulations that, for certain professions, the travel ban without prior permission of the competent authorities, still survives. This group includes the top athletes in a government effort to curb the continuous leakage of sporting talent that has been evident in recent years.

Increasingly, Cuban baseball players embark on a quest to conquer a dream in the United States MLB; in contrast, Cuban sports authorities have agreed to allow their athletes to compete in other foreign leagues but not with personal contracts but through government agencies. The stampede of baseball

⁴ The author prefers to use the term "documented migration" and "undocumented or irregular migration".

players sponsored by the regime appears to be widespread while the State acts as a broker (*Misceláneas de Cuba, 2014*). With the approval of the Cuban government, which receives economic benefits from the transaction acting as an intermediary, several Cuban baseball players have been inserted into teams of the Mexican and Japanese leagues from 2013. The Cuban government involvement in such transactions contradicts its own principle that professional baseball is synonymous with slavery.

In the case of the Mexican league, considered an organization of MLB and on which therefore the regulations of the American embargo on Cuba are applied, the Cuban players must prove they are not resident in Cuba. In 2014 a problem arose with the Cuban athlete Alfredo Despaigne, who was playing for the *Piratas de Campeche* under this type of indirect procurement through an agreement between the Mexican baseball league (LMB) and the Cuban government. It was found that the athlete was registered with a fake Dominican passport and was finally suspended while club officials were sanctioned as well (*La Jornada, 2014*).

At the same time, prominent Cuban baseball stars have been linked to human trafficking: dangerous operations in their quest to conquer the dream of MLB. Some of them have succeeded with lucrative contracts that have encouraged others to take the risks. On the other hand, some Cuban players who have been unsuccessful in their attempts to leave the country without documents have faced separation from active sport and in some cases court cases related to their escape attempts. In the past five years, the number of top Cuban baseball players who have left the country by different routes has increased sharply: “they leave from all the provinces, are of any age and go anywhere” (*Vilá, 2009*).

By internal regulations of MLB, if a foreign baseball player goes directly to the United States, with the intention of being hired by one of the thirty franchises, he must submit to a *draft system* which limits his chance of getting a good contract. The *draft* is the mechanism that directs the recruitment of resident amateur players resident in the United States or Canada who, therefore, have never before had an employment relationship with an MLB team. For that reason, Cuban baseball players prefer opting for a third country where they take up residence and be considered free agents in order to negotiate directly with any of the teams interested in hiring them. This procedure has been implemented by all who have taken that step, either those who have left the Cuban official delegation at sporting events or those who have ventured into smuggling operations by sea. The countries with the highest incidence in establishing residence to obtain the so-called free agency are Dominican Republic, Haiti and Mexico.

Such has been the impact of this situation on national public opinion, that the Cuban authorities have been forced to change the processing of information about it. Unlike the past, when an absolute silence reigned on the subject, from 2013 the official Cuban press has begun issuing terse notes on the departure of the main baseball stars who have decided to emigrate. The new procedure avoids the use of terms such as ungrateful, traitors and stateless, while maintaining the concept of defectors as if they were soldiers leaving their duties in an army. However, the Cuban official recognition to the continuous outflow has not been accompanied by a thorough analysis of the real causes that promote such behavior of athletes. Conversely, the official discourse evades responsibility and blames American policy on the situation.

After the last known case of leakage of a top player, the newspaper of the Communist Party of Cuba, *Granma*, has published an article that aims to examine the roots of defections in baseball but ends up submerged in a militant and devoid of objectivity language. According to *Sánchez (2014)*, the decision of the athletes to leave the country in search of their sporting dreams is part of a war waged by the American government. The article ignores the free will of those involved whilst the author entangles himself in his own contradictions, tacitly recognizing the verb “to escape” in referring to the sea crossing to leave the island. Sanchez insists the already worn allusions to the brain drain and blaming the American embargo on Cuba (blockade in the official language). Even though addressing this topic is innovative in the Cuban press, from the position of a journalist who writes for a newspaper belonging

to a political party in power, it is difficult to take an objective position and to be detached from the official language.

Moreover, the official Cuban press echoes the government discourse in denying athletes who decided to settle out of the country the right to represent the nation in international competitions and puts the blame on external enemies. This reality becomes more palpable in baseball because it is the national pastime even though it is present in all sports. The government does not allow athletes residing abroad to visit their relatives in Cuba nor represent the country. Nevertheless, the government claims the situation to be the policy of the United States disregarding that many Cuban athletes do not live in the United States but in countries that maintain close political relations with Cuba. The Cuban people have moved toward a level of understanding the separation between politics and sport although the vision of the government keeps punishing the alleged lack of loyalty.

4.0 Conclusions

After half a century officially considering professional sports as a denial of human freedom, the Cuban government has decided to allow Cuban baseball players' involvement in foreign professional leagues. However, contracts cannot be made directly but through state agencies as intermediaries in exchange for economic benefits.

It is contrasting the view that those who earn large sums of money in international leagues but are covered by the government are not traitors whereas it is considered as such those who decide to seek new landscapes at their own risk. The reform of the immigration policy of 2013, according to which old barriers to the right to travel abroad were removed, contains clauses that keep high performance athletes in the same conditions as before the reform. Accordingly, the scope of Cuban immigration reform goes beyond its statements and its effects are emerging on the national sport.

Low incentives, lack of attention to athletes and sports facilities, have resulted in a considerable decrease of the Cuban baseball sports scores. There is an atmosphere of frustration that is evident in the growing migratory wave of athletes. Because of its incidence on the national public opinion, the issue of migration of Cuban baseball players remains highly politicized.

The media of the Cuban government respond to the collapse of national baseball and the growing emigration of baseball players with the same outdated rhetoric of the Cold War era and blaming the United States for its effects; meanwhile, history is misrepresented because it was the Cuban government who banned the practice of sport professionally on behalf of socialist purity.

Despite changing times, the political mentality remains the same: ignoring individual freedom and the right of personal choice. The baseball players who have fled to the United States and other countries have not been stolen; they have gone in virtue of their own will. The Cuban official terminology gives the idea to the national public that what prevents the direct recruitment of athletes is the American embargo. In that case, it is worth asking why immigration reform includes those clauses that prevent athletes to travel freely.

The migration reform has affected baseball because it has stimulated migration of undocumented baseball players who are lacking hopes to be granted permission for personal travel. Those who migrate are deprived of their Cuban category as they are not allowed to represent their country in international competitions nor return freely to their homeland. In contrast, baseball players from other nations with MLB contracts still have the right to legally enter their country, keep their right of residence and be called to the national team for international competitions. Consequently, changes in Cuban migration policy have not brought the liberalization of the conditions imposed on athletes for over half a century. However, according to the intrinsic conditions of the Cuban system, it is not assumed that such a situation has immediate political implications.

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