

NEWS DESK

A USEFUL CORNER OF THE WORLD: GUANTÁNAMO

By Paul Kramer, JULY 30, 2013



It was 1935, and the Guantánamo naval base had to go. So declared an American commission stocked with foreign-policy experts: the United States was pursuing less antagonistic relations with its southern neighbors, and an American base on Cuban soil, anchored by a lease without an end date, looked increasingly like an “anomaly.” Weren’t there enough defensible harbors on the United States’ own Gulf Coast, or on Puerto Rico? The commission wrote that the U.S. government should “seriously consider whether the retention of Guantánamo will not cost more in political misunderstanding than it is worth in military strategy.”

Where *was* the base? This was a trickier question than might first appear. It straddled both sides of lower Guantánamo Bay, roughly five hundred miles east and south of Havana, about as far from the capital as one could travel and remain in Cuba. The bay opened onto the Windward Passage, one of the

hemisphere's most trafficked sea-lanes, linking the Eastern Seaboard to the Gulf of Mexico, Central and South America, and, through the Panama Canal, the Pacific Ocean. In 1899, an American military planner, stressing the need for naval bases and coaling stations in Cuba, had called the island "an outer bar of the Mississippi."

The terrain that rose above the bay—dry, sun-blasted hills, where cactus and scrub clung to outcroppings of barren rock—was hostile enough that Cuba's Spanish rulers had taken their time colonizing the region. For centuries, Guantánamo had effectively been no state's domain, a haven for pirates and slaves escaping both Cuba and Haiti, only a hundred miles across the Windward Passage at its nearest point. For them, Guantánamo had meant something like freedom.

The more perplexing question was where the base stood legally. By the late nineteenth century, U.S. commercial and military interests in Cuba and the wider Caribbean had deepened. When a Cuban uprising against Spanish control threatened to secure the island's independence, American policymakers pursued military intervention, capitalizing on popular outrage at the mysterious explosion of the U.S.S. *Maine*, in Havana harbor, in February of 1898. In a nine-day battle for Guantánamo Bay, American soldiers, under Commander Bowman H. McCalla, and Cuban insurgents defeated the Spanish garrison. In June, the Cuban diplomat Manuel Sanguily wrote to a friend, "Now that they have seen Guantánamo, they will never renounce their control over it."

He was not far off. The United States took possession of Guantánamo Bay through what might be called gunboat tenancy. While Cuba's constitutional convention gathered in late 1900 and early 1901, Secretary of War Elihu Root listed provisions that "the people of Cuba should desire" for their constitution; these included granting the United States the right to intervene freely in Cuban affairs and access to land for naval bases. These demands went into the Platt Amendment, passed by the U.S. Senate on March 1, 1901, and submitted to the convention for adoption; the United States would withdraw its forces from the island only after the delegates incorporated it into their constitution. Cubans

opposed the Platt Amendment in speech, pamphlet, and mass protest; Juan Gualberto Gómez, a delegate and a former general, charged that it would transform Cubans into a “vassal people.” Nevertheless, under pressure a divided convention adopted it.

The U.S. Navy moved quickly. Two 1903 agreements gave the United States control of forty-five square miles of land and water—a space about two-thirds the size of Washington, D.C.—for coaling and naval stations “and for no other purpose.” Rent was \$2,000 a year, paid in gold; lacking a cutoff date, the lease was “for the time required.”

The terms were ambiguous from the start. Cuba retained “ultimate sovereignty,” for example, but the United States exercised “complete jurisdiction and control.” A second lease, signed in 1934, similarly embraced uncertainty. It raised the rent to \$4,085, but provided no termination date. The agreement could be ended by American withdrawal or by a bilateral settlement, but not by Cuban action alone. The Navy had sprawled onto a thousand or so additional acres, but the new agreement did not say where they were: the base would continue occupying “the territorial area that it now has.”

At noon on December 10, 1903, the United States assumed “complete jurisdiction and control.” A marine brigade, five naval companies, and a few Cubans looked on as the Stars and Stripes was hoisted to a twenty-one-gun salute. The American Minister stayed home, as did high-ranking Cuban officials. The Atlanta Constitution noted that most Cubans “were not inclined to sanction by their presence an act which they chose to consider was unjustly imposed on them.”

Some Americans questioned the United States’ imposition of power beyond its borders. What would be the legal status of these newly conquered territories? Supreme Court Justice Melville Weston Fuller, dissenting in the 1901 *Downes v. Bidwell* case on the status of Puerto Rico, had warned that “if an organized and settled province of another sovereignty is acquired by the United States,”

Congress would retain the power “to keep it, like a disembodied shade, in an intermediate state of ambiguous existence for an indefinite period.”

Others were more sanguine. As Woodrow Wilson, who was the president of Princeton at the time, put it in an April, 1907, address, “Colonies must be obtained or planted, in order that no useful corner of the world may be overlooked or left unused.” The corollary to this imperial proposition: once you wrested turf from somebody else, you found something to do with it.

But during the next thirty years U.S. officials failed to make the Guantánamo base as useful as they had hoped. Congressmen wanted to spend naval funds on bases near their constituents. Fresh water had to be brought from Guantánamo City, hauled in railroad tanks to Navy barges, then pumped into storage tanks. “Here we are ensconced in Guantánamo Bay for ten years,” the American journalist Stephen Bonsal complained in 1912, “and we have not raised a finger to fortify what the Russians or the Japanese, or any other predatory people, would immediately convert into a great naval station and citadel and proudly christen ‘Mistress of the Caribbean.’ ”

It was not that the base went unused. It hosted naval exercises and drills, and it resupplied U.S. vessels. The roughly twenty-year U.S. occupations of both Haiti and the Dominican Republic commenced with invasions from Guantánamo. The base was also useful to thousands of Cuban laborers who earned their livelihood on its wharfs and in its machine shops and warehouses.

While the boundaries of the base were indefinite, it was, in the twenties and early thirties, clearly outside the precincts of Prohibition. Officers stocked up on alcohol from Cuban suppliers. Sailors crammed bars in Caimanera and Guantánamo City, seeking rum and economically vulnerable women; this was called “liberty.” For many, the base was a weird cocktail of dull heat, lassitude, and excess. Morally and geographically, it was, one visitor wrote, “on the fringes of things.”

The Second World War rescued the base. A hub in the United States' Caribbean convoy system, by the mid-nineteen-forties, it was the second-busiest port in the Western Hemisphere, after New York. Franklin D. Roosevelt himself visited twice in two years. (Harry Truman also stopped by, seasick, in 1948.) The base acquired the nickname Gitmo, from the Navy call signal gtmō; sailors boasting of their access to Cuban women jested that it was not called "git' mo' " for nothing.

But the buildup only sharpened the question of where Gitmo actually was. Did Cuban or U.S. law apply? The lease covered the mutual return of fugitives, but who would prosecute Cuban pilferers on base or brawling American sailors in Caimanera? Customarily, each state tried its own citizens but when, in September, 1954, a Cuban worker named Lorenzo Salomón Deer was accused of stealing \$1,543.26 in cigarettes from the Navy exchange, he was imprisoned on the base by naval authorities and given no access to his family or a lawyer. It was, one Cuban union leader said, "as if he had been swallowed by the earth." Deer was released, two weeks later, and charged his captors with beatings and other abuses. (The Navy's Office of Industrial Relations conceded that Deer's detention had been "excessive.") "We could not conceive that in a naval establishment of the most powerful nation in the world, champion of democracy, things like this could happen," read an editorial in a union bulletin, "and much less [that it would] use methods and systems of terror."

The postwar years would be remembered by many of its more élite American residents as the base's golden age: robust funding, ice-cream shops, bowling alleys, affordable servants. For many, Gitmo was Mayberry with iguanas. "Guantanamo Bay is in effect a bit of American territory, and so it will probably remain as long as we have a Navy," Rear Admiral Marion E. Murphy wrote in a celebratory 1953 history. It was "inconceivable that we would abandon it." A contemporary sailor's song was less enthusiastic:

So, hurray for old Gitmo on Cuba's fair shore
The home of the cockroach, the flea and the whore
We'll sing of her praises and pray for the day
We'll get the hell out of Guantánamo Bay.

These were also the years when American officials bolstered the dictatorship of Fulgencio Batista, who confronted a popular rebellion after July, 1953. Fidel Castro and his fellow-insurgents considered the base a tool of counterrevolution; its lease was invalidated by its coercive origin and would, in any case, be nullified when they triumphed.

But the revolution made use of the base, too. It was the source of American hostages that revolutionaries seized on several occasions. Base workers who sympathized with the revolt smuggled out bullets, spare parts, clothing, and gas. Once in power, Castro declined to profit from the base in at least one respect, proudly refusing to cash the United States' annual rent checks. Still, he did not ban Cubans from working there; instead, he ordered them to convert their dollars into pesos right outside the gates. The enemy remained stubbornly—and conveniently—within.

After the Cuban missile crisis—when the Soviets aimed three cruise-missile launchers at the base from fifteen miles away—one novel use was considered: faking an attack against Gitmo as the pretext for U.S. military intervention into Cuba. One plan, Operation Northwoods, included orchestrated riots outside the main gate and sabotage in the harbor. In an October, 1962, meeting, Attorney General Robert Kennedy asked “whether there is some ship that, you know, sink the Maine again or something.” Gitmo was no longer on the fringes of things.

It was also, after 1964, not entirely a part of Cuba. That February, the U.S. Coast Guard intercepted four Cuban fishing boats in American territorial waters in the Florida Keys. The authorities locked thirty-six crewmen in eight-by-ten-foot cells in a Florida jail. Cuba's Foreign Minister, Raúl Roa, declared this an “act of piracy” and announced that Cuba was cutting off the base's water. Gitmo's commander, Admiral John D. Bulkeley, activated an emergency ration plan that stretched the base's ten-to-twelve day water reserve. Lyndon Johnson, in his third month as President, pushed back. The majority of Cuban base workers were fired, and the base's water was supplied by ship. Construction of a desalination plant began within two months; by July, the swimming pools were

full. The Navy erected a sign above the dry pipeline: “GITMO WATER LIBERATED FROM CUBA AT THIS POINT.”

It was the decisive, almost final round in the base’s separation from the rest of the island. In late 1958, the U.S. Navy enclosed Gitmo in a perimeter fence. By late 1960, it had set a minefield that would soon contain over 50,000 mines, spread over more than 700 acres: the largest minefield in the world. Following the failed invasion of the island by C.I.A.-trained forces at the Bay of Pigs, in April, 1961, the Cuban government rimmed the base with its own wide trench of uncrossable Maya cactus, a barrier quickly dubbed the Cactus Curtain. Jetting in its food, transporting most of its laborers in from Jamaica, and later the Philippines—here, at last, was the Guantánamo base as citadel, at once insular and global.

Physical isolation defined the daily reality of naval officers, sailors, base workers, and their families. A base is usually a place of supply; Gitmo depended utterly on the outside world. Auto parts could take three months to arrive, so base personnel jerry-rigged “Gitmo specials” from scavenged parts. Fresh vegetables, nearly impossible to grow in Guantánamo’s parched soil, were flown in from Norfolk, Virginia. By the mid-nineteen-eighties, the base could generate three million gallons of desalinated water each day, but the plant ran on high-priced fuel. Gitmo residents drank the most expensive water on earth. As for “liberty,” it now meant a short flight to the brothels of Kingston and Port-au-Prince.

U.S. officials began realizing that Gitmo had outlived its strategic usefulness, having been rendered anachronistic by nuclear submarines and redundant by the Roosevelt Roads anchorage in Puerto Rico. In July, 1981, a report surfaced that the Reagan Administration might hand over the base—“an obsolete military facility,” in the words of one high-ranking official—if Cuba took back unwanted refugees. The base’s presiding officer had been downgraded from rear admiral to captain.

But the United States hung on. The reason was the Cold War. Gitmo’s main purpose in the late nineteen-seventies and eighties was ostentatious,

technological muscle-flexing: showing Cuba and the Soviets that the United States still held sway in the Caribbean, in what one captain called a “visible manifestation of interest.” When, in August of 1979, American policymakers received reports (later proved inaccurate) of a newly arrived Soviet combat brigade in Cuba, they sent 1,800 marines in on three ships, simulating an assault on Gitmo using “inert ordinance.” The goal was to communicate America’s grit. “It’s crazy,” a young sergeant observed. “We’re invading ourselves.”

Then a new use for the base was discovered: the storage of people.

In September, 1991, a brutal coup overthrew the first democratically elected President of Haiti, Jean-Bertrande Aristide, and hundreds of thousands fled the new regime on the open sea. The George H. W. Bush Administration, fearing what an incoming wave of Haitians might do to Bush’s reelection chances, sought a way to prevent Haitians from drowning and also from exercising their full rights to asylum hearings, a place under U.S. control but far from legal aid, where deportations to Haiti would be speedy.

The answer was Gitmo. By November, 1991, the U.S. Coast Guard was shipping Haitians to the base. By the following July, nearly 37,000 people were confined in makeshift tent cities ringed with barbed wire. Cuban officials’ objections to the base soon included its “concentration camp” on Cuban territory. Prisoners claimed that they were treated like animals, given rotting food, subjected to forced medical treatment, denied counsel. For the more than 26,000 people found by the I.N.S not to be migrating for “political” reasons, Gitmo was a ticket back to danger and, in some cases, death. For 267 Haitians granted asylum on political grounds but denied entry under a 1987 law that blocked them from immigrating because they were H.I.V.-positive, it was purgatory. “They were even harsher with us than with the others,” Yolande Jean, a democracy activist, recalled. The refugees at Camp Bulkeley—reserved exclusively for H.I.V.-positive refugees—burned their tents and hurled rocks at their captors. Many joined in a hunger strike.

Activists in the United States protested the denial of the detainees' rights. A team of students and professors at Yale Law School took their case, *Haitian Centers Council, Inc. v. Sale*, to the U.S. District Court for New York's Eastern District, where it was heard by Judge Sterling Johnson, Jr. They argued that constitutional protections applied to the base as an area under the "complete jurisdiction and control of the United States." Lawyers for the government responded that Gitmo was simply "a military base in a foreign country" and "not United States territory." Detainees there were "outside the United States and therefore they have no judicially cognizable rights in United States courts." Judge Johnson was incredulous:

You're saying, if I hear you correctly, that [government officials], assuming that they are arbitrary and capricious and even cruel, that the courts would have no jurisdiction because the conduct did not occur on U.S. soil? That's what you're saying?

The government's lawyers concurred.

On June 8, 1993, Judge Johnson decided the case in the Haitians' favor, condemning conditions at the refugee camp at Gitmo and ordering it closed. He insisted that due-process guarantees under the U.S. Constitution extended to the base: these included the right to a lawyer, to proper medical care, and to not be held indefinitely without charge. Otherwise, he told an I.N.S. attorney, the state possessed unchecked authority "to take, kidnap, or abscond, whatever you want to call it, take a group and put them into a compound, whether you call it a humanitarian camp or a prison, keep them there indefinitely while there has been no charge leveled against them and there is no light at the end of the tunnel."

The camp was shut down, and the remaining detainees admitted to the United States. But the Clinton Justice Department found Johnson's decision troubling, and pursued a deal with the Haitians' legal team: the Administration would comply with Johnson's orders and drop an appeal; in return, Johnson's decision would be vacated from the record. The advocates agreed, fearing that an appeal would prolong their clients' detention and might, ultimately, succeed. According

to one official, the Clinton Administration wanted to preserve “maximum flexibility.”

A year later, the camps were back. A crackdown by Haiti’s dictators and Castro’s sudden granting of permission to depart Cuba encouraged tens of thousands of rafters to take to the water. The Clinton Administration took full advantage of Gitmo’s “flexibility.” At the peak of the exodus, in the summer of 1994, roughly 16,800 Haitians and 22,000 Cubans were held at the base, in separate, adjoining tent cities on the abandoned McCalla runway. There were more protests, hunger strikes, repressions. Gitmo was becoming a rights-less island within an island. For those who refused to coöperate, there was an exposed, open-air prison, consisting of forty small, chain-link cells.

Haitian and Cuban plaintiffs sued. The January, 1995, decision, in *Cuban American Bar v. Christopher*, by the Eleventh U. S. Circuit Court of Appeals, rejected the logic of Johnson’s orders, and firmly situated Gitmo outside the United States and constitutional limits on state power. The court dismissed arguments that leased military bases abroad “which continue under the sovereignty of foreign nations” were functionally equivalent to land borders or ports of entry. Laws mandating asylum hearings, for example, “bind the government only when the refugees are at or within the borders of the United States.” Apparently, Gitmo was not at or within these borders.

The refugees were released the following year. The Cubans were permitted entry into the United States. The Haitians were involuntarily returned to Haiti, which U.S. military forces had, once again, invaded, reinstating the deposed and weakened Aristide. “The camps of Guantánamo are closing, but... Guantánamo Bay is a painful story that’s not over yet,” the Cuban refugee journalist Mario Pedro Graveran wrote in January of 1996. The tent cities were dismantled. The prison was left standing.

It was 1996, and Guantánamo was still, somehow, American ground. The United States’ possession of the enclave had survived apathy and revolution. It had been, indisputably, a useful corner of the world. Each time its hold had

been shaken—by Cuban opponents, Americans worried by the base’s diminishing returns, the trouble of running it, the toll it took on global good will—new purposes had been found with unfailing ingenuity. As station and school, leverage and message, weapon and prison, Gitmo had been cast—intermittently, at least—as essential to the United States’ position in the world. After nearly a century of ambiguity, it was, for the time being, anyway, a space of American power that was juridically no man’s land. Who knew? Maybe there would be a use for that.

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For more information on the history of the Guantánamo base, see [the Guantánamo Public Memory Project](#); [Caribbean Sea Migration Collection](#); “[Guantánamo: A Working-Class History Between Empire and Revolution](#),” by Jana Lipman (University of California Press, 2008); “[Guantánamo: An American History](#),” by Jonathan M. Hansen (Macmillan, 2011); “[Guantánamo, USA: The Untold History of America’s Cuban Outpost](#),” by Stephen Irving Max Schwab (University Press of Kansas, 2009).