Chapter 3

The US Congress and the Cuban Embargo: Analysis of a Learning Process

Paolo Spadoni

It is widely acknowledged that the United States (US) embargo against Cuba, first established in the early 1960s and tightened repeatedly since, has failed to promote fundamental political and economic reforms in the Caribbean island. In addition, it has failed to hasten the demise of Fidel Castro’s government while reinforcing Cuban authorities’ arguments that the United States promotes economic deprivation in Cuba and seeks to constrain its sovereignty.

In the last few years, economic sanctions against Cuba have been under fire in the US Congress. An increasing number of lawmakers have pushed for rapprochement with the Castro government and lifting of some of the restrictions on trade. In October 2000, Congress passed a resolution that allows direct commercial exports of food and medicines to Cuba for the first time in almost four decades. It should be noted that a clause in the final version of the bill prohibits US companies and financial institutions from providing credit for such transactions, thus obligating Cuban authorities to complete their purchases with cash or through third-country financing. Enraged by that restriction, Cuba initially said it would not buy food until the embargo was completely lifted. However, after Hurricane Michelle caused widespread damage to the island in November 2001, the Castro government decided to take advantage of the law and buy American products. Since shipments to Havana began in December 2001, total US food sales to the island have been valued at approximately $800 million,

1 making Cuba an increasingly attractive export market for US agricultural firms.

This is a case study on how organizational leaders learn. While drawing insights from several scholars, its hypotheses mostly derive from Jack Levy’s work on individual learning and his view of experience-induced changes of beliefs among national policymakers as the most appropriate indicator of learning. To what extent is Congressional leaders’ learning the source of changes in US policy toward Cuba, and how does this learning occur? Is there empirical evidence that US Congressmen have changed their beliefs about the role and usefulness of economic sanctions as a

tool of foreign policy? And finally, did changes of beliefs lead to changes in policy and new patterns of behavior? Providing answers to these questions is important for two main reasons. First, it serves the general debate on the use of economic sanctions by showing how legislators of a sanctioning country evaluate the results of their policy toward a target state. Second, it allows us to identify a potential learning process and test some theoretical assumptions on political learning among policymakers.

Most studies in political science conclude that economic sanctions do not work, at least in the sense of bringing about a desired change in the policy of the target countries. Sanctions often entail tremendous economic costs to the latter (and to a certain extent to the sanctioning country), but fail to change the political behavior of their leaders. Scholars such as Hufbauer and his co-authors, with a generally optimistic view, contend that sanctions succeed in about one-third of cases. On the other hand, Robert Pape's pessimistic view of sanctions holds that they succeed in at most five percent of cases. Organizational learning scholars agree that learning is a process linked to the accumulation of knowledge and the observation and interpretation of experience, especially experience deriving from previous failures. To some degree, they also concur that there are different levels or complexity of learning, mostly ranging from simple adjustments of existing tactical beliefs, strategies and policies to more fundamental changes associated with transformations in the policy norms, goals or paradigms.

Two main hypotheses are tested and supported by this study: First, a significant number of US legislators have indeed "learned" from experience that economic sanctions against Cuba do not serve the interests of the United States. Mostly as a result of the failure of the embargo to achieve its main objectives while seriously affecting US domestic economic interests, several Senators and Representatives have pressed for increasing trade with the island and the removal of the travel ban for US citizens. In fact, the policy of denying hard currency earnings to the Cuban government limits a powerful source of American influence because it cuts off a free flow of people, activities, and ideas between the two countries. In addition, whereas US farmers and producers face restrictions in selling their commodities to Cuba, many other countries are developing commercial and business ties with Havana and taking advantage of the lack of US competition. Second, the evidence suggests that all learning has not been translated into policy change. Although the 2000 bill on food and medicine sales represents an important change of the instruments of

6 Jennifer L. McCoy, Political Learning and Democratization in Latin America: Do Politicians Learn from Political Crises? (Miami: North-South Center Press at the University of Miami, 2000), p. 2.
7 Levy, "Learning and Foreign Policy," p. 286.
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to take place (simple learning). However, this is not sufficient for achieving greater accuracy about the world (learning that); the latter, in turn, is necessary but not sufficient for facilitating the ability to achieve one’s goals (learning how).

Several scholars criticize reducing learning to an individual cognitive phenomenon requiring psychological analysis. Jennifer McCoy, for instance, argues that learning must be manifested in at least an attempt to implement lessons learned, that is, it must affect behavior by either reinforcing it or changing it. Jarosz and Nye associate learning with the acquisition of knowledge or information that leads to a change in behavior. According to them, learning that does not affect behavior is not useful for developing a more general theory of foreign policy. Likewise, Hall contends that learning is a deliberate attempt to adjust the goals or techniques of policy in response to past experience and new information. He also identifies three levels of learning that are the result of three different processes related to policy changes. These processes range from simple changes (adjustments) of the existing techniques or policy instruments to other kinds of changes associated with potentially more complex and radical transformations in the basic instruments of policy or its encompassing goals.

Identifying levels of learning from policy changes as suggested by Hall may be misleading, given that adjustments of existing techniques or deeper transformations in the basic instruments of policy may be determined by factors other than learning. Rather than equating learning with policy change, it is more useful to conceptualize a political learning model in terms of cognitive changes among organizational leaders that can involve either the adoption of different strategies for pursuing their original goals or the realignment of their goals. The learning process among US Congressmen on the Cuban embargo, as demonstrated by their changes of beliefs, can be considered an “intermediate” or “strategic” level of learning as defined by Tetlock. Some US policymakers no longer believe that a policy toward Cuba based on economic sanctions would undermine the Castro government and foster democratic changes on the island. While these fundamental objectives remain virtually unaltered, they can better be achieved through engagement with Cuba that would enhance the influence of American ideas and values (change of strategic policy beliefs). In addition, policymakers’ new goal to help US farmers by relaxing restrictions on food sales to Cuba suggests that the learning process is not just “simple learning” (changes in means but not in ends) as defined by Levy.

What are the factors that enhance learning among national policymakers? Is learning a consequence of policy failures, travel experience, and new information made available by experts in the field? Levy argues that failures are more likely to lead to learning than successes, especially those failures that were either unexpected at the time or unpredictable in retrospect. Considering that success and failure are often influenced by expectations and aspiration levels rather than measured in objective terms, we can fairly expect that predictable outcomes generate fewer incentives for a change in beliefs and policy, as compared to those outcomes that fall short of one’s goals.

A similar argument is made by March in his analysis of the myopia of learning. March contends that organizational leaders’ confidence in control over outcomes leads to learning from expectations of consequences before the consequences are observed, and it leads to reinterpretation of results to make them more favorable. In these ways, learning could be misleading given that risks of failures are underestimated and confidence finds confirmation in its own imagination. In short, since organizations promote successful people to position of power and authority (rather than unsuccessful ones), it is the biases of success that are particularly relevant to decision making.

A clear implication of March’s argument is that political leaders’ confidence decreases and exploration of new strategies is triggered when failures of a policy are so evident to make a reinterpretation of its results in favorable terms difficult to justify.

By the end of the Cold War, US political leaders could fairly argue that their hard-line policy on Cuba had met with some success. Although Fidel Castro kept ruling Cuba, he was no longer able to support revolutionary movements in Latin America and Africa, and the collapse of the Soviet Union in late 1989 had put an end to its preferential relationship with Havana. In addition, the disappearance of the economic and financial system (Council for Mutual Economic Assistance, or CMEA) in which the island had been inserted for almost twenty years raised the United States’ confidence on economic sanctions as an effective policy instrument. While Cuba’s deep economic recession in the early 1990s can hardly be attributed to the impact of the embargo, there were reasonable expectations among US policymakers that further sanctions would undermine Cuba’s attempts to reposition itself in the international market, hasten the demise of the Castro government, and foster fundamental democratic changes in the island. However, since 1993 the Cuban economy has begun to recover, and the inability of US policy to reach its main objectives has become increasingly evident. Given that Castro remains firmly in power and very few democratic changes have been introduced in Cuba’s political and economic system, several US policymakers have changed their beliefs on the embargo and pressed for a normalization of relations with Havana. This is indeed a learning process that has been triggered mostly by the failure of US policy to produce outcomes that are consistent with political leaders’ expectations.

The issue of learning as a result of travel experience is not specifically addressed by Levy. Nevertheless, he argues that organizational leaders learn more from their own experiences.
experience than they do from the experience of others. Moreover, organizations learn only through individuals who serve in those organizations, by encoding individually learned inferences from experience into organizational routines.15 Regarding Cuba, US Congressional leaders (especially Senators of both parties) who traveled to the island in recent years had the opportunity to observe and evaluate first-hand the results of the embargo, and that particular experience might have triggered a change of their beliefs on the role and usefulness of economic sanctions against Cuba.

The acquisition of knowledge as a result of new information available from experts is also central to the concept of learning. The literature on epistemic communities emphasizes the crucial role of new information, ideas and policy proposals provided by the scientific community that is transferred to the policy community and form the basis for "consensual knowledge." Adler notes that networks of knowledge-based experts may be able to facilitate governmental learning by providing new information and a new interpretation of reality, and by becoming actors in the process of political selection of their own ideas.16 Similarly, Haas argues that control over knowledge and information is an important dimension of power. The diffusion of new ideas and information can lead to new patterns of behavior and prove to be an important determinant of international policy coordination.17

In order to be effective and highly influential, experts must have access to top policymakers. In the end, a change in behavior or action (new objectives and strategies) results not only from the circulation of new information, new ideas, and increased knowledge promoted by members of epistemic communities, but also from their interaction and negotiation with policymakers and other groups characterized by the interplay between power and knowledge.18 Building upon Haas' argument on power competition, other scholars conclude that learning by public organizations must originate outside politics, since political competition among rival decision-makers determines changes in policy, rather than a learning process leading to improved evaluation of situations. As noted by McCoy, politicians rely for new ideas and information on scientists who work in institutional settings different from those of competitive politics.19

This study does not analyze the role of epistemic communities in learning processes related to US economic sanctions against Cuba. Nevertheless, it offers some evidence that new information about the impact of the embargo on US-Cuba bilateral trade has been provided in recent years by independent agencies and foundations, scholars, and specialists in various economic fields. It also points

15 Levy, "Learning and Foreign Policy," p. 287.
18 Haas, Knowledge, Power and International Policy Coordination, p. 370.
19 McCoy, Political Learning and Redecentralization in Latin America, p. 3.

out to specific links between such experts and US Congressional leaders in order to highlight the potential impact of new information on policymakers' beliefs and actions.

Is all learning translated into policy change? What are the factors that may prevent national policymakers from implementing some lessons they have learned? Levy states that learning is neither necessary nor sufficient for policy change because not all learning is translated into changes of policy. States might alter their foreign policies not only as a result of learning, but also because of changes in the external environment, a change in political leadership, or a realignment of coalitions at the bureaucratic or societal levels.20 More specifically, Levy contends that political struggles within and between groups will determine whose learning counts and that political or bureaucratic constraints may prevent the implementation of some lessons learned. According to him, policy entrepreneurship, which involves political maneuvering and persuasion, plays a key role in learning and policy change.21 Similarly, Hermann recognizes that learning is not the only source of policy change; the latter is also the result of struggles for political power, changes of the attitudes of the dominant domestic constituents, and a realignment of those essential constituents.22 In the case of Cuba, attempts to promote a wider opening toward Havana have been thwarted by anti-Castro groups in the Cuban American community and House Republican leaders. The interaction of power and knowledge factors is an essential dynamic of the learning process on the Cuban embargo and its translation into policy change. The 2000 bill on food and medicine sales to Cuba highlights the importance of coalition groups, leadership positions, maneuvers and specific interests of some policymakers (especially Cuban-Americans), and loyalties among Congressional members.

This brief review has presented some of the most common interpretations of political learning and policy changes. The remaining part of the study analyzes the recent debate in the US Congress about the role and usefulness of economic sanctions against Cuba in order to identify specific changes that may confirm or call into question these interpretations as well as provide evidence for the hypothesized learning process. However, considering that the latter has mostly been triggered by the failure of previous policies, it is useful to first recall the key events in US-Cuba relations with a particular attention to the economic sanctions promoted in the 1990s and their overarching goals.

US Economic Sanctions with Respect to Cuba

On January 7, 1959, the United States recognized the new Cuban government led by Fidel Castro, but relations quickly deteriorated. The US policy toward Cuba

20 Levy, "Learning and Foreign Policy," p. 290.
21 Levy, "Learning and Foreign Policy," p. 300.
was initially a reaction to Cuba's confiscation of American properties without compensation, its alliance with the Soviet Union, and its declared intention to spread the revolution to other Latin American countries. While economic sanctions were established to punish Cuba for the expropriations, increase the cost of Cuban adventurism in Latin America (and later in Africa), and raise the cost to the Soviet Union of maintaining its new relationship with the Castro regime, the United State's ultimate goal was the economic and political isolation of Cuba. On February 7, 1962, the Kennedy administration announced a total embargo of all US trade with Cuba. On May 5, 1966, the US Congress further expanded the embargo by passing the Food for Peace Act. The act outlawed food shipments to any country that sold or shipped strategic or non-strategic goods to Cuba, except for certain circumstances in which the President could allow shipments of medical supplies and non-strategic goods. Since that time, and in spite of some efforts toward normalization with Havana during the presidency of Jimmy Carter in the late 1970s, economic sanctions against the communist island have been repeatedly intensified. On April 19, 1982, the Reagan administration reestablished the travel ban, dropped by Carter in 1977, prohibiting US citizens from spending money in Cuba, despite the fact that US courts had upheld the constitutional right to travel. That same year, it warned US subsidiaries in third countries not to exceed the limits allowed by the Treasury Department. Finally, on August 22, 1986, the US Treasury announced new measures tightening the embargo. These measures prohibited US businesses from dealing with a list of foreign firms operating in the United States, Jamaica and Panama, considered "Cuban fronts intended to break the U.S. embargo." They also included lower limits on cash and gifts Cuban Americans could send to relatives in the island as well as tighter regulations on companies that shipped food and care packages to Cuba from Cuban-Americans.

After the fall of the Soviet Union in late 1989 and the end of its special relationship with Havana, the massive amount of aid that had allowed Cuba to weather the US embargo began to dry up. Without Soviet subsidies and external markets for its main products, the Cuban economy went into a deep recession. Cuban authorities were forced to develop a strategy of reinvestment into the international market by promoting

26 At end of the 1980s, some 81% of Cuba's external commercial relations were with Soviet countries. It is also reported that Soviet subsidies and aid to Cuba averaged $4.3bn a year for the period 1986-1990. Ernesto Hernandez-Cata, "The Fall and Recovery of the Cuban Economy in the 1990s: Mirage or Reality?" International Monetary Fund Working Paper (2001), p. 4.

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timid free-market economic reforms and opening the island to foreign investment. One might expect that the normalization of US international relations following the demise of the Soviet Union would favor new commercial exchanges with countries, including Cuba, previously ostracized by the superpowers' confrontation. Instead, the United States tried to capitalize on Cuba's precarious economic situation. Seeing an opportunity to finally get the most out of economic sanctions that had failed for thirty years to overthrow the government of Fidel Castro, hard-liners within the US Congress and an increasingly powerful Cuban American community stepped up efforts to reinforce the embargo. Jorge Dominguez notes:

The Cold War had turned colder in the Caribbean. Cuba was the only country governed by a communist party whose domestic political regime the United States was still committed by law and policy to replace, albeit by peaceful means.

The influence exerted by domestic politics, especially the electoral context linked to the partisan bidding for Cuban American votes in the pivotal state of Florida, played a key role in promoting tougher economic measures against the Castro government. In September 1992, in the heat of the presidential campaign, a Democrat-controlled Congress approved the Cuban Democracy Act (better known as the Torricelli law). The law, initially criticized but then signed by the first President George Bush a few weeks before the election, was conceived as an instrument for exerting pressure on the Cuban economy while offering positive inducements for democratic reforms in Cuba. On the one hand, it permitted humanitarian donations including medical supplies after onsite verification. On the other hand, it prohibited foreign subsidiaries of US corporations from engaging in any transaction with Cuba, and any vessel from entering a US port for a period of 180 days if that vessel had handled freight in a Cuban port.

Washington enacted an even harsher package of measures against Cuba in 1996. The story of the Cuban Liberty and Democratic Solidarity Act (better known as

27 Cuba's response to the deteriorating economic situation was the implementation in September 1990 of an economic austerity program called "special period in time of peace." The program consisted of a series of measures aimed to conserve energy and raw materials, stimulate food production, expand markets for export and imports, attract foreign investment, and introduce some management and selective structural reforms. Foreign exchange needed to acquire imported inputs was provided on a priority base only to industries that generated foreign exchange.
30 Robert Torricelli, the proponent of the law, is a Senator from New Jersey (D-NJ).
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from experience, Levy contends that policy failures tend to trigger changes of beliefs among them by affecting the plausibility of the "lessons of history." This appears to be the case within the US Congress where, in the last few years, several legislators have reevaluated some of their beliefs and policy preferences with respect to Cuba.

**Sources of Learning**

There is no doubt that economic sanctions with respect to Cuba enacted during the 1990s have failed to achieve their main objectives. First, while certainly having an impact on Cuba's overall economic performance, they have ultimately failed to hasten the collapse of the Castro regime. Thanks to economic adjustments introduced between 1993 and 1994 and the opening to foreign investment, the Cuban economy slowly began to recover around the mid-1990s. Second, sanctions have been unable to curtail the flow of foreign capital delivered to the island, promote a democratic change in the behavior of the target government, and undermine Castro's hold over the political apparatus. Third, they have galvanized the international community against the embargo. Prior to the passage of the Torricelli law, Cuba had never been able to obtain a resolution condemning US sanctions in the United Nations General Assembly. In November 1993, as a consequence of a widespread concern regarding the extraterritorial character of the US legislation, the General Assembly condemned the embargo by a vote of 59 to 3 (with 71 countries abstaining). Since then, the vote has been more lopsided with every passing year. By 1998, the governments siding with Cuba were 158. Instead of gaining international support for its policy toward the island, the United States could not be more isolated. Roy observes, "Washington had lost a public relations war."

In October 2000, the US Congress passed the "Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act of 2001." Title IX of the bill, signed into law by President Clinton a few weeks later, provides for the sale of direct sales of US food products and medicines to Cuba for the first time since the embargo was put in place in the early 1960's. The first hypothesis of this study is that several US Congressmen have learned from the aforementioned failures and changed their beliefs regarding the role and usefulness of economic sanctions as an instrument of foreign policy. The second hypothesis is that this

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32 The Cuban Liberty and Democratic Solidarity Act is widely referred to as the Helms-Burton law after its sponsors, Senator Jesse Helms (R-North Carolina) and Representative Dan Burton (R-Indiana).

33 Dominguez, "U.S. Cuban Relations."

34 Cuba's opening to foreign investment, initially centered in the tourist sector, was extended after 1993 to other sectors such as basic or heavy industry (mostly oil, mining and energy), light industry (manufacturing), food processing, construction, agriculture, telecommunications, real estate, and services.


37 Levy, "Learning and Foreign Policy," p. 305.


39 While decreasing at an average annual rate of 10% between 1990 and 1993, Cuba's real Gross Domestic Product averaged almost 3.3% per year for the rest of the decade and around 3.7% per year since the enactment of the Helms-Burton legislation in 1996.


41 Roy, Cuba, the United States, and the Helms-Burton Doctrine, pp. 102-103.
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process had a causal impact on US policy toward Cuba, although not all learning has been translated into policy change.

According to Levy, studies of learning must incorporate research designs that allow analysts to differentiate between genuine learning and the instrumental use of history, and to avoid spurious inferences of causality between historical learning and policy preferences and decisions.42 Considering the difficulty of this task and the number of elements that should be considered in order to carry out such a rigorous analysis of learning, this study does not claim to produce definitive results. Nevertheless, it aims to advance our understanding of the role of learning in US foreign policy toward Cuba by monitoring the behavior of Senators and Representatives over time and their votes in Congress on the use of economic sanctions. In order to assess the impact of policy failures on learning, and possibly avoid spurious relations between the latter and individual preferences, the study also presents specific cases of Congressmen whose beliefs on the embargo have recently changed. This is mostly done by comparing their public declarations before and after the enactment of the Helms-Burton legislation.

Finally, in order to support the claim that current policy changes do not reflect entirely the learning process, this study shows how proponents of a wider opening toward Cuba succumbed to the lobbying efforts of the Cuban American Community and hard-liners in Congress. The final version of the 2000 bill prohibits US financing of any sales to Cuba and establishes that potential changes of the US travel ban, previously under the jurisdiction of the executive branch, have now to be made by Congress.43 Certainly, Senators and Representatives committed to a relaxation of US restrictions respond to particular interests, especially those of the business community. However, it seems conceivable that they have at least learned that previous policies did little to undermine the Castro government while hurting US producers prevented from exporting their products to Cuba.

Unlike Levy, I am not convinced that variations in beliefs correlated with economic interests do not constitute learning. While economic interests may trigger changes of beliefs among policymakers in relation to a specific policy, they still learn if those changes are also the result of new information made available to them. Epistemic communities can enhance learning by providing new information on a specific issue.44 On March 15, 2000, the Committee on Ways and Means of the House of Representatives requested the US International Trade Commission (USITC) to examine and report on the economic impact of sanctions on US-Cuba bilateral trade. The Commission is an independent, nonpartisan, federal agency whose responsibility is to monitor trends in international trade matters. Economists and industry analysts of the USITC collected data from both US and Cuban sources. They also used testimonies provided by US scholars and specialists in various economic fields before the USITC on September 12, 2000. The report estimates that US exports to Cuba in the absence of sanctions, based on average 1996-98 trade data, would have been approximately $658 million to $1 billion annually.45 Another study, completed in January 2001 by the Texas A&M University for the pro-trade Cuba Policy Foundation, concludes that continuing financing restrictions on US trade with Cuba cost farmers $1.24 billion a year in lost business. Even more striking, a July 2002 study produced by the University of Colorado at Boulder predicts that the normalization of commercial relations with Cuba could represent for the United States a gain of $545.6 million in trade and the creation of 3,797 jobs in the short term as well as $1.9 billion in trade and 22,000 new jobs in the next five years.46 Although it is difficult to establish the impact of these findings on changes of beliefs among US policymakers, we cannot exclude such a possibility. Some legislators who had previously supported economic sanctions now argue that they are damaging US producers. For instance, Senator Pat Roberts (R-KS), who voted in favor of the Helms-Burton law in 1996 (when he was still a Representative), has become a leading advocate for the removal of trade and travel restrictions on Cuba. In early April 2002, commenting on the Bush administration's decisions on steel tariffs and the refusal to grant visas to some Cuban officials needing to travel to the United States to purchase US grain, Roberts noted:

American agriculture could be hit hard with retaliation over the administration's decision to put tariffs on steel imports. Cuba, which was opened just a year ago for exports of US farm products, was a bright spot in an otherwise grim world trade picture. Since November of last year, Cuba signed contracts to buy nearly $73 million in US agriculture products. Recent studies indicate that will quickly grow to $1.2 billion, making Cuba one of our most important trade partners.

He then concluded: "the United States is exploring agricultural trade relations with other nations that pose a much greater security [risk] than does Cuba. With Cuba, we have an opportunity to help US farmers, feed hungry people and spread the seeds of democracy."

The case of Senator Byron Dorgan (D-ND), who had voted for both the Torricelli and the Helms-Burton law, underlines the importance of trade with Cuba for US producers and, perhaps, of new information on the impact of the embargo on American products. In early October 1995, commenting on the Helms-Burton law on the Senate floor, Dorgan stated:

44 Haas, Knowledge, Power, and International Policy Coordination, p. 385.
46 For further information on US trade potential with Cuba, see <www.ciponline.org/cuba/trade>.
Frankly, Fidel Castro and Cuba are not the most important things in the lives of people I represent... I was in North Dakota all last week because the Senate had no votes last week. I did not hear one North Dakotan talk to me about Cuba. It does not mean Cuba is not interesting or important; it is that they are interested in the issues that affect their daily lives such as farm programs, Medicare, and so on.48

In 2001, after successfully leading the effort in Congress to lift the ban on US sales of food to Cuba, Dorgan declared: "The best strategy is to open up Cuba to U.S. trade and travel. It's potentially a $1 billion market for food products that Canadians and Europeans and others are able to serve and we're not. That doesn't make much sense to me."49 In addition, a declaration by Dorgan in August 2002 highlights a new scenario for North Dakota producers hardly foreseeable in 1995. Announcing Cuba's interest in buying dry peas from his state, the Senator said: "Once again we have evidence of how important this new market can be for North Dakota family farmers. There is clearly a desire to buy and a recognition that what we have to sell is of highest quality."50

Overall, Roberts and Dorgan's declarations suggest that new information made available by experts might have had an impact on Congressional leaders' beliefs. With many countries taking advantage of the lack of US competition, the negative effects of the embargo on US producers (as reported by experts in the field) have become increasingly evident. For example, in late March 2003 the US Senate announced the creation of a bipartisan Cuba Working Group, which plans to focus its efforts on trade and travel restrictions. Both Roberts and Dorgan are members.51

In the letter announcing the launch of the initiative, the US Senators stated:

The sanction policy of the United States has been ineffective since it was adopted in 1962. Other nations trade with Cuba, and their producers benefit from that trade. The U.S. policy places our farmers, workers, and companies at an international competitive disadvantage. By some estimates, the United States loses out on an export market of nearly $1 billion per year.52

51 The ten members of the Senate Working Group on Cuba are: Max Baucus (D-MT); Byron Dorgan (D-ND); Maria Cantwell (D-WA); Blanche Lincoln (D-AR); Jeff Bingaman (D-NM), Michael Enzi (R-WY); Chuck Hagel (R-NE); Norm Coleman (R-MN); Jim Talent (R-MO); Pat Roberts (R-KS). The House of Representatives also formed a Cuba Working Group in 2002. By mid-2003 the group had 50 members, equally divided between Democrats and Republicans.

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### Table 3.1: Votes of Select US Legislators on Economic Sanctions against Cuba

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<td>Ashcroft, John (R-MO)</td>
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<td>Cour ard, Kent (D-ND)</td>
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<td>Daschle, Tom (D-SD)</td>
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<td>Dorgan, Byron (D-ND)</td>
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<td>Leahy, Patrick (D-VT)</td>
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<td>Roberts, Pat (R-KS)</td>
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<td>Manzullo, Donald (R-IL)</td>
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<td>McNulty, Michael (D-NY)</td>
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<td>Nebehurc, George (R-WA)</td>
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<td>Ramstad, Jim (R-MN)</td>
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<td>Rivers, Lynn N. (D-D)</td>
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<td>Roemer, Tim (D-IN)</td>
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<td>Stenholm, Charlie (D-TX)</td>
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<td>Walsh, James T. (R-NY)</td>
<td>Yes</td>
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In short, the role of epistemic communities in the learning process toward Cuba provides an alternative hypothesis and a potential area for further research, perhaps to be developed through a series of interviews with those Congressmen who argue that the embargo is damaging US food producers.

Legislators’ Learning Processes

Table 3.1 presents data on the vote of select US legislators on economic sanctions with respect to Cuba.

Several who voted in favor of both the Torricelli and the Helms-Burton laws also supported the bill allowing direct food sales to Cuba. Given that the exception on trade sanctions and US exports (Title IX) is one section of a general appropriations bill for agriculture, rural development, and the Food and Drug Administration, the list includes only those legislators who, in addition to their vote, supported easing economic restrictions on US-Cuba trade.

For example, in August 1999, the full Senate voted 70-28 in favor of an amendment by Senator John Ashcroft to remove agriculture trade sanctions against countries such as Cuba, Libya, Sudan, and North Korea. Supporters included all Senators reported in Table 3.1. According to transcripts of the Foreign Relations Committee hearing in which the amendment was discussed, they argued: “Unilateral food and medicine sanctions do not work and hurt American farmers.” In stressing the potential benefits for US food producers, they also claimed: “United States’ wheat farmers are currently shut out of ten percent of the world’s wheat market due to unilateral sanctions...that also cost American soybean growers up to $147 million annually in lost income.”

Curiously, the Ashcroft amendment, later rejected by a House-Senate conference committee, was attached to the 2000 farm spending bill with the acquiescence of Senate Foreign Relations Chairman Jesse Helms. In a dramatic departure from his well known resistance to closer economic relations with Cuba, Helms said: “The impetus for this reform comes from our farm community, which is hurting today, and which is asking us in Congress to look at ways in which we can expand markets for American farm products.” He emphasized that he agreed with that goal as long as “moral and national security interests of the United States” were protected.

As argued before, US policymakers might have changed their beliefs on the usefulness of the Cuba embargo as a result of travel experience. In July 2000, Senators Max Bacausc and Daniel Akaka traveled to Cuba, where they met with Fidel Castro, several Cuban ministers and cissidents, a number of foreign ambassadors, and the head of the largest nongovernmental organization on the island. On July 25, 2000, Akaka, who had voted in favor of the Torricelli law, declared:

Finally, George Nethercutt, who had voted for the Helms-Burton law, declared in Spring 2000 that food and medicine restrictions were "an abhorrent foreign policy tool that heaps suffering on the innocent people while doing little to alter the behavior of dictatorial regimes that rule the sanctioned countries." He also cited a US Agriculture Department estimate that American rural communities are losing $1.2 billion a year in foregone sales to sanctioned countries. He concluded by saying that "sanctions are not fair to U.S. farmers or to the humanitarian interests of the United States."60

In June 2000, Nethercutt wrote a piece in the New York Times that found parallels between US relations with China and those with Cuba. According to him, "if a normal trading relationship with China is a home run for America, then lifting sanctions against Cuba is the equivalent of a grand slam."61

The cases presented so far highlight significant changes in the behavior of several legislators on US economic sanctions against Cuba. However, we still do not know what they really believed when they voted in favor of tougher restrictions against the Castro regime. Given that the failures of recent policies (and eventually the loss of opportunities for US producers) are hypothesized to be the sources of learning and current policy preferences, we should provide evidence that legislators changed their minds by analyzing both their current beliefs and the ones they held prior to the enactment of the Torricelli or the Helms-Burton law. Important examples are Arlen Specter, Byron Dorgan, and Charlie Stenholm.

In June 1995, during a session of the Subcommittee on Western Hemisphere and Peace Corps Affairs, Senator Specter commended the authors of the Helms-Burton law noting:

I think it is very important to put the maximum pressure on Fidel Castro, the dictator of Cuba, to try to achieve his ouster at the earliest possible time in the interests of the people of Cuba and the interests of the Western Hemisphere and the world. Although they (the Cubans) are not quite the security menace which they once posed when the Soviet Union was keeping them buoyed up with money...they still represent a government which ought to be delegitimized, and to the extent that the United States can act to accomplish that result, it is very, very important.62

More recent remarks of Specter on Cuba represent an astonishing change. In June 1999, after his first trip to Cuba, he said he saw "hope for improving people-to-people relations" and that he would work to increase ties between the United States and the island in the areas of public health and drug interdiction. At that

62 The Subcommittee is part of the Committee on Foreign Relations of the United States Senate.
63 Senate Record, S. HRG. 104-212, "Cuban Liberty and Democratic Solidarity Act," US Senate (June 14, 1995).
65 Senate Record, S1244, "Trip to Latin America," (February 27, 2002).
66 "Interview with Byron Dorgan," Newsweek.

time he called the US embargo against Cuba "a complex matter," without saying whether he supported or opposed the sanctions. However, it seems that the failure of economic sanctions to hasten the demise of the Castro government had an impact on his beliefs. Noting that "Castro is still robust, hale and hearty at age 73" and that "he is going to be on the scene for many more years," Specter made clear that he believed the United States should not wait for a change of power in Cuba to cultivate exchanges that can benefit both countries.64 In October 2001, Specter cosponsored a bill aimed to remove financing restrictions on food and medicine sales to the Castro regime, ease travel restrictions to Cuba, and provide scholarships for certain Cuban nationals. A few months later, after a second visit to Havana, he observed that some changes in US policy toward Cuba had taken place. Referring to the bill introduced in the Senate, but later dropped in the House of Representatives, Specter concluded that it was "a very small step which ought to be uncontested."66

Byron Dorgan is another Senator who appears to have changed his beliefs on the Cuban embargo. In 1992, then-Representative Dorgan was one of the co-sponsors of the Torricelli bill. Therefore, we can assume that he believed in the effectiveness of a policy toward Cuba based on tougher sanctions. Since 1998, Dorgan has become a leading advocate in the US Congress for an easing of the Cuban embargo. In an interview with Newsweek in September 2001, he stated:

We are really shooting ourselves in the foot with a continued embargo that does not work and, in a bizarre way, actually helps Fidel Castro keep his hold on power... It's a completely inconsistent policy. With other countries like China, Vietnam, North Korea (all communist countries), our policies have been to engage them, and through that engagement, move them toward more constructive approaches to human rights and other issues... But with Cuba, we do just the opposite. Our policy is to prevent travel to Cuba, to prevent trade with Cuba and we even deny them food and medicine. Using food and medicine as a weapon is, in my view, entirely immoral. That's not good policy, that's not accomplishing anything, and frankly, that doesn't hurt Fidel Castro, it helps him.65

Finally, Representative Charlie Stenholm has changed his beliefs on economic sanctions in the last few years. In June 2000, commenting on the possibility of removing existing restrictions against Cuba, he admitted: "In the past 18 months, I've changed my position 180 degrees. With the collapse of the Soviet Union, this is no longer a question of fighting communism... It is a question of how to best bring about change in Cuba. It could also be of help to Texas farmers."63 One month later, Stenholm joined a strong majority of his colleagues in supporting two amendments aimed to lift sanctions on US food, medicine, and tourists traveling to Cuba. In discussing his vote before the House of Representatives, he declared:

In no way do I support the communist government created by Fidel Castro. He has infringed upon human rights, impeded religious freedoms, ignored economic contracts and blocked
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legislators from both parties demonstrating their willingness to loosen trade and travel restrictions on Cuba. They mainly argue that an opening toward Havana would increase US agricultural exports while providing visiting Americans an opportunity to promote democratic values among ordinary Cubans. However, an analysis of the links between learning and policy change with respect to Cuba requires an understanding of the interaction of power and knowledge factors. Policy change is determined not only by increased knowledge as a result of the observation and interpretation of experience, but also by factors such as political struggles among various groups, leaders’ policy positions and maneuvers, the highly-focused interests of some policymakers such as Cuban-Americans, and party loyalties.

Although many US legislators learned that economic sanctions against Cuba do not serve US interests, anti-Castro groups in the Cuban American Community and House Republican leaders have hailed or limited attempts to weaken the embargo in recent years. The initial version of the 2000 bill on food and medicine sales to Cuba, as introduced by Representative George Nethercutt in the early summer of that year, and supported by all legislators listed in Table 3.1, did not include restrictions on financing. Having assembled a sizeable partisan coalition of farm state members and human rights advocates, Nethercutt was confident he had more than 280 votes for the measure. However, the leverage over the House leadership he had envisioned failed to materialize. In fact, while being sympathetic to Nethercutt’s bill, members of the Republican Party were also increasingly uneasy about voting against their leadership. Moreover, Democratic Caucus Vice Chairman Robert Menendez, a Cuban American, rounded up a number of anti-Castro Democrats prepared to defeat the measure. Likewise, Cuban American Representatives such as Diaz-Balart and Ros-Lehtinen built a coalition in both houses of Congress to render the passage of the bill more difficult. In the end, Nethercutt was forced to work out a compromise with the House Republican leaders and submit a revised version of the bill that allows Cuba to pay cash for food and medicine but denies credit guarantees to the island. It also establishes that only the Congress can lift restrictions on travel to Cuba, a prerogative that fell previously under Executive jurisdiction. Several Congressmen called the compromise a step backward and said it was so restrictive it would hardly lead to significant food sales. Representative Jose Serrano, echoing the thoughts of most of his colleagues, stated: “Nethercutt gave in too quickly in his negotiations with the House leadership and Cuban American members.”

Loyalties among party members in the US Congress may also be important. For instance, House Majority Leader Dick Armey, a staunch opponent of Communist governments who voted consistently over the years to maintain the embargo against Cuba, recently suggested that engaging Cuba and lifting the travel ban is the best way to undermine Fidel Castro. However, he noted that he had backed the restrictions

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69 Ghent and Hess, “Seeking an End to Sanctions.”
70 Congress Daily, “Cuba Trade Backers Blast GOP Compromise,” (June 29, 2000).
on travel and trade out of loyalty to two Cuban-American House members. In early August 2002, he said:

What you see in the House of Representatives and what you see by way of individual votes—mine is an example—is loyalties to our friends. Sometimes on an issue like Cuba, my particular loyalty to Lincoln Diaz-Balart and Ileana Ros-Lehtinen is not counterbalanced by focused interest in my district.

While the case of Arney may not constitute learning (He may have always believed that sanctions do not work), his declaration suggests that loyalties among party members can prevent the implementation of some lessons learned. Commenting on Arney’s statement, Representative Jeff Flake, a leading opponent of the embargo, noted: “If the House had a secret ballot, there would be an additional 75 or 100 votes in favor of lifting restrictions.”

Despite their disappointment with the final version of the bill on food and medicine sales to Cuba, several legislators have continued to push for lifting of the embargo. On June 12, 2001, the Bridge to the Cuban People Act was introduced in both chambers. This legislation aimed to promote a peaceful transition to democracy on the island and produce benefits for both the United States and Cuba by removing some restrictions on trade, travel, and cultural exchange between the two countries. All legislators listed in Table 3.1 were among the co-sponsors of the bill.

Forces that support an easing of sanctions have gained momentum in the wake of the announcement of the first sale of US food products to Cuba in December 2001. That same month, a group of 15 US Senators including Max Baucus, Byron Dorgan, Pat Roberts, and Arlen Specter sent a letter to President Bush soliciting his help on relaxing financing and shipping restrictions. In addition to mentioning that sales to Cuba would help Cuba’s recovery from the devastation caused by hurricane Michelle earlier in November, the letter observed that, “given the crisis in American agriculture, the prospect of selling to a new market is welcome news to U.S. farmers and exporters.” On June 26, 2002, a group of 37 Representatives, including Nethercutt and Stenholm, co-sponsored the Freedom to Travel to Cuba Act of 2002. The bill, introduced in the House by Jeff Flake, intended to eliminate restrictions on travel to Cuba for US citizens and facilitate transactions incident to travel such as the importation into Cuba or the United States of accompanied baggage for personal use only, the payment of living expenses, and the acquisition of goods and services for personal use.

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Until now, supporters of a hard line against Cuba have been able to thwart attempts to ease restrictions on trade and travel. The future of the Cuban embargo and the implementation of a new policy that better reflects current learning within the US Congress will depend on the ability of the aforementioned Senators and their allies in the House of Representatives to build a wider coalition around their ideas. Admittedly, such a task has been greatly complicated by the recent behavior of Fidel Castro. Between late March and early April 2003, the Cuban government imprisoned 75 political dissidents and executed three men who hijacked a ferryboat in Havana bay to flee the island. As a result of the outrage provoked by these actions, on April 8, 2003, the House of Representatives approved a resolution (with 414 votes in favor and no dissenting vote) that condemns the systematic human rights violations in Cuba committed by the Castro regime, calls for the immediate release of all Cuban political prisoners, and supports the right of the Cuban people to exercise fundamental political and civil liberties.

There is no doubt that the Cuba’s latest crackdown on internal dissent has meant a real setback for anti-embargo initiatives in Congress. For instance, on April 25, 2003, George Nethercutt, reflecting the view of many House Representatives, admitted that easing restrictions now “would be perceived the wrong way, somehow condoning what Castro has done.” Nevertheless, several US legislators still support a policy of engagement with Havana, as demonstrated by their attempts to remove the travel ban for American citizens. It should be noted that the movement in Congress for the lifting of financing restrictions on trade with Cuba had already lost momentum before the events in Havana. Surprisingly, the Cuban government has proved its ability to buy significant amounts of US products on a cash-basis. Although purchases would certainly be higher in the absence of restrictions, by the end of 2004 Cuba had become the 23rd largest food market for the United States, and probably the safest one because of the cash-only conditions of trade.

On April 30, 2003, 27 Senators, including Daniel Akaka, Max Baucus, and Byron Dorgan, co-sponsored the Freedom to Travel to Cuba Act of 2003, which aims to eliminate any restrictions on travel to Cuba for US citizens. A few weeks later, 65 Representatives, including George Nethercutt, Charlie Stenholm, and Jim Leach, introduced the same bill in the House under the name of Export Freedom to Cuba Act of 2003. In presenting the legislation on the Senate floor, Baucus stated:

75 Paolo Spadoni, “Don’t change export rules on Cuba,” Orlando Sentinel (December 27, 2004).
"After forty-three years, it ought to be clear to everyone that the embargo has failed to weaken Castro. A better approach is to reach out to the Cuban people. Ending the travel ban is the first and best way to do this." He then highlighted the benefits that open travel would provide to US farmers and the US economy by noting that, while Americans are currently allowed to sell food and medicine to Cuba on a cash-basis, the majority of potential sales are not realized due to the travel ban and trade embargo. In his conclusion, he said: "If we truly care about the Cuban people, if we care about democracy...let us travel to Cuba and show them democracy in action."

In July 2003, in remarks on the floor of the Senate, Dorgan declared:

The issue of trade and travel is important. It is not in any way supportive of Fidel Castro for us to say a 40-year embargo does not work and that the same strategy we use with respect to China and Vietnam does work, and that it engagement through trade and travel. It undermines the ground on which dictators sit. It undermines their capability to govern, and that is what we ought to do.

Between September and October 2003, both chambers of Congress voted strongly in favor of identical provisions to ease restrictions on American travel to Cuba. The amendments to the travel ban, attached to the Treasury, Transportation, and General Government appropriations bill, were approved by the House 227 to 188, and by the Senate 59 to 38. However, leaders of a House-Senate conference committee removed the travel provisions before sending the bill to the President, who had threatened to veto any legislation that weakened economic sanctions against Cuba. As Cuban American leaders in Congress like to say, "our best insurance policy is the veto pen of George W. Bush." In August 2003, a group of Florida Republican state Representatives (most of Cuban origin) sent a letter to the US president warning he risked losing their support and the votes of the Cuban American community for the 2004 elections unless he adopted a tougher Cuba policy. Although they asked for specific measures such as a review of current migration policy and increased assistance to dissidents in the island, the letter specified: "It is absolutely critical that you express as soon as possible, once again, that you will never permit any weakening of the embargo while you are president." In short, domestic politics considerations and pressures exercised by the Cuban American community and their allies on George W. Bush are additional examples of how political factors can prevent learning from being translated into policy change. While there has not been a need for the President to exercise his veto power, it is conceivable that his position on Cuba has played a role in the political struggles between different groups in the US Congress. Prospects for a relaxation of US economic sanctions against Cuba appear even dimmer after Bush won re-election in November 2004 and carried Florida with a comfortable margin.

Conclusion

This chapter has analyzed the current debate within the US Congress about the role and usefulness of economic sanctions with respect to Cuba in order to provide some evidence for a potential learning process. The qualitative case study is mostly based on how individual policymakers learn when they change their beliefs as a result of the observation and interpretation of experience. He also claims that failures of previous policies, in particular those that were unanticipated, are more likely to lead to learning than are successes.

During the 1990s, the United States reinforced its embargo against Cuba through the implementation of the Torricelli law in 1992 and the Helms-Burton law in 1996. To some degree, both legislations were conceived as effective instruments for exerting economic pressure on the Cuban economy, hastening the collapse of the Castro government, and offering positive inducements to democratic reforms in Cuba. The Torricelli law prevented US subsidiaries from trading with Cuba, put restrictions for any vessel that touched Cuban ports, and allowed humanitarian donations for specific medical products. The Helms-Burton law has attempted to undermine Cuba's opening to foreign investment by allowing lawsuits and the imposition of travel restrictions against foreign companies or other entities that use Cuba property expropriated during the early days of the Revolution. We cannot fairly say that economic sanctions against Cuba have mostly failed to reach their goals. Fidel Castro remains firmly in power, the economy has slowly but steadily recovered from the deep recession of the early 1990s, and there are no signs of significant democratic reforms or changes to Cuba's economic and political model. In the last few years, an increasing number of Senators and Representatives have pushed for a change in US policy toward Havana and promoted legislations aimed to lift the restrictions on food and medicine sales to Cuba as well as increase people-to-people contacts with the island through the lifting of the travel ban for US citizens. They mostly argue that the current embargo did little to alter the behavior of the Castro government and eventually hasten its collapse, while negatively affecting US producers who are prevented from exporting their products to Cuba. The fact that they had previously voted in favor of strengthening the embargo, and sometimes publicly declared their support for economic sanctions, suggests that changes of

beliefs (and therefore learning) as a result of policy failures might be taking place among them.

The aforementioned learning process has led not only to a change of behavior among Congressmen but also to an important change of policy. In October 2000, the US Congress enacted legislation that relaxed the economic sanctions against Cuba by allowing the sale of US agricultural products to the island. However, there is some evidence that not all learning has been translated into policy change. Supporters of greater opening toward Havana have faced resistance from anti-Castro groups in the Cuban American community, Cuban American Congressmen, and the House leadership. In the end, they were forced to make a compromise with these groups and submit a revised version of the bill that not only prohibits US financing institutions from providing credit for sales to Cuba, but also codifies into law existing travel restrictions. So far, pro-embargo forces have been able to thwart any attempts to further relax US economic sanctions with respect to Cuba.

Admittedly, while making the case that a number of US legislators might have learned from the failures of previous policies toward Cuba, this study still presents several limitations. First, one is left wondering whether changes of beliefs among legislators are simply the result of the lobbying efforts promoted by US business groups rather than learning. These legislators (especially Senators) are mostly from big farm states and respond to particular interests of the agricultural community. As suggested before, policymakers whose changes of beliefs are correlated to economic interests still learn if those changes are the result of new information made available to them. It is conceivable that US legislators might have learned from new data on the loss of opportunities for American producers. Since the mid-1990s, when the Cuban economy began to recover, an increasing number of countries are exporting their products to Cuba and taking advantage of the lack of US competition. Nevertheless, in order to test this assumption, a study of the role of epistemic communities in US policy toward Cuba and eventually a series of interviews with selected US Congressmen would be useful.

Second, the research design should have incorporated elements that allow us to establish whether variations in beliefs among legislators are correlated with changes in their political position or institutional role. Different roles in Congress might link legislators to different economic and political interests, thus undermining the learning hypothesis. A longitudinal study of selected Congressmen over time that focuses on this aspect is needed. Finally, although it provides a few cases, the empirical analysis should have included more declarations of legislators before the enactment of the Torricelli and the Helms-Burton law in order to demonstrate what they believed when they voted in favor of a strengthening of the embargo. In fact, policy preferences expressed through votes in Congress do not necessarily reflect individual beliefs.

Notwithstanding these limitations, the analysis presented in this study remains a useful one for several reasons. First of all, it enriches the current debate on the effectiveness of economic sanctions by offering the perspective of a group of legislators in a country, such as the United States, that continues to use them to reach major foreign policy goals. In addition, it improves our understanding of the role of learning in US foreign policy toward Cuba, which has been characterized so far more by failures than successes. This is also particularly important for the future of the relations between the two countries. With the enactment of the Helms-Burton legislation, economic sanctions against the regime of Fidel Castro are codified in law and can be repealed only by Congress. If successful, legislators' attempts to promote a gradual easing of tension and a more constructive approach toward Havana (through a new policy that relies less on isolation and more on the influence of the American society) will increase the likelihood that some significant changes might take place in Cuba. Otherwise, the United States will have no choice but to wait until Castro passes from the scene by natural causes, and hope his successor will be less resilient than he or more inclined to introduce democratic reforms.