

Anti-Castro rightists rally support in US Congress and the courts

Sordid maneuvers over six-year-old Cuban refugee Elian Gonzalez

Bill Vann

14 January 2000

Six weeks after he was fished out of the waters off the Florida coast, the fate of six-year-old Elian Gonzalez remains largely in the hands of a group of political sharks and anticommunist fanatics whose influence over both major parties constitutes a powerful indictment of the US political system.

Top government officials, political candidates both Democratic and Republican, together with a corrupt judiciary, are pulling every conceivable string to prevent the child from being returned to his father in Cuba, as required by both US and international law.

In the wake of a long overdue ruling by the Immigration and Naturalization Service (INS) acknowledging the internationally recognized right of the father to have his son returned to Cuba, the Cuban lobby, led by the Cuban-American National Foundation (CANF), has swung into action.

In response, a powerful US Congressman issued a subpoena demanding that the boy testify next month before a hearing that is not even scheduled to take place. A judge in Miami, meanwhile, handed down a blatantly illegal ruling, giving the boy's distant relatives in Miami temporary custody and ordering his Cuban father to appear before the Florida court to prove that his son's return to his home in Cuba would not cause "imminent and irreparable harm" to Elian's "physical and mental health and emotional well-being." Bowing to the judge's ruling, the INS has agreed to postpone any return of Elian to Cuba, probably until after the Miami judge holds her custody hearing in March.

Dan Burton, the Republican Congressman from Indiana, issued the subpoena even though neither he nor the congressional panel he heads, the House Government Reform Committee, has any conceivable jurisdiction over the case. His involvement is merely a matter of his own right-wing politics and his indebtedness to the CANF, together with the fact that his committee is the only one in Congress with the power to unilaterally issue a subpoena.

The Miami-Dade County Circuit Court judge, Rosa Iris Rodriguez, elected with the Cuban lobby's backing just 16 months ago, has more than just a casual connection to the extreme right-wing forces that have seized upon the child to advance their political aims. It was revealed January 11 that the chief spokesman for the Miami relatives of the child, who are working under the political guidance and with the financial support of the CANF, served as the chief political consultant for Ms. Rodriguez's election campaign. He personally received \$10,000 from the judge, and she

paid a consulting firm run by his wife another \$53,446.

While news of the intimate political connections between the judge and the family's handlers prompted Bernard Perlmutter, director of the University of Miami's Children and Youth Law Clinic, to declare that Ms. Rodriguez should have excused herself from the case, the judge responded with a written statement, noting that the law imposes no "ethical obligation to disclose" the participation of parties to a case in his or her election campaign.

Meanwhile, attorneys familiar with child custody law have pointed out that the decision is itself a gross violation of the Uniform Child Custody Act, which governs such cases throughout the country. The law requires that a minor must have been living in a given state for at least six months before a court has jurisdiction to decide custody. Even with proper jurisdiction, the court could render such a custody decision only in the face of convincing proof that the father had abused the child. According to all accounts, the father enjoyed a loving and close relationship with his son, as did his grandparents and other relatives in Cuba.

Appearing in the courtroom with little Elian's great uncle, who was given temporary custody of the child, was Jorge Mas Santos, the head of the Cuban National Foundation, making it clear who is calling the shots in the legal maneuvers and, no doubt, reminding Judge Rodriguez of her political debts.

If anyone should be investigated for child abuse, it is the political operatives of the foundation and Elian's Miami relatives, who have functioned as their willing accomplices. They have taken a small boy, plucked from the ocean after watching his mother die, and paraded him every day before the media while showering him with every conceivable bauble associated with the "American dream," from trips to Disney World to televised encounters with baseball stars.

Other "celebrities" brought to shake the little boy's hand include a former South Vietnamese fighter pilot who gained notoriety by hijacking a Vietnamese passenger jet and, more recently, by dropping anticommunist leaflets over Havana. All the while little Elian, who has no ability to comprehend the intentions of those who have taken him under their wing, is prompted to smile and wave to the cameras.

One can only imagine the psychological and emotional damage being done to this child, who, after suffering an incalculable personal tragedy, has been deprived of all those who have known

and loved him from birth and handed him over to a group of strangers. His well-being is the last concern of those who have effectively kidnapped him, holding him for what amounts to a political ransom.

He is merely a pawn in the efforts of the Cuban exile leaders to overturn the Cuban regime and regain the properties and power they lost with the downfall of the Batista dictatorship nearly 40 years ago. For at least some among his distant relatives in Miami, other motives no doubt come into play. There have been reports that up to \$2 million has been offered by prominent Cuban-American businessmen to make clear that little Elian can indeed have the kind of life that no child in Cuba could ever hope to achieve.

Some recent public opinion polls have shown a majority of the American people favoring the policy of sending Elian back to his father. This view appears to prevail despite the media's cynical efforts to confuse sympathy for the plight of a boy who has tragically lost his mother with an attempt to cast her death as a sacrifice for the "freedom" of her young son. It is never suggested that her death at sea has anything in common with the deaths of hundreds upon hundreds of Mexicans and Central Americans drowned in the Rio Grande or hounded by the US Border Patrol into burning deserts or freezing highlands.

The politicians and the media attempt to cast suspicion on the father's motives, suggesting that he is asking for his son's return only because he fears retaliation from the Castro regime. Endless repetition of this unsubstantiated charge unfortunately convinces some who would never for a moment consider abandoning their own children, no matter what the political or economic pressures.

One thing that the case of Elian has proven is the complete disaffection between the anticommunist exile mafia in Miami and the masses of the Cuban people, whom they purportedly seek to "liberate." The arrogance and hypocrisy of US policy in relation to the little boy has galvanized the Cuban people in mass protests and popular anger as no other event in recent memory.

Despite dissatisfaction over economic deprivation and growing social inequality, as well as resentment over the suffocating political atmosphere engendered by Castroism, the implicit assumption that the child should be kept in the US because he can enjoy a higher standard of living than what can be obtained by Cubans in their own country has reignited feelings of hatred and resentment for US imperialism and a legacy of crimes and oppression dating back to the Platt Amendment nearly a century ago.

Notwithstanding its obvious lack of support in Cuba, the Cuban American National Foundation, a group repeatedly linked to terrorist operations and assassination plots against Cuba as well as political gangsterism against its opponents in this country, continues to exert a powerful influence over both the Democrats and Republicans. Every major Republican presidential candidate has flatly declared that Elian should be kept in this country, no matter what the law or his father and grandparents say. For a party that has hypocritically hoisted the banner of "family values" in its efforts to dismantle public education and social welfare programs and clamp down on freedom of expression, family ties and the welfare of a small boy are so much loose change in comparison to

the hefty political contributions made by the CANF, and the opportunity to engage in anti-communist demagoguery.

The Democrats as well bow before the right-wing agenda emanating from Miami. In an interview on NBC's "Today Show," Vice President Gore, the front-runner in the Democratic presidential race, echoed the view that, "This child's mother died in an effort to get her child's freedom." Distancing himself from the policy of the Clinton administration, Gore questioned whether the INS had the "experience and expertise" to decide the issue, suggesting that perhaps a CANF-backed judge like Ms. Rodriguez would be better suited to this task.

Meanwhile, Hillary Clinton, running for the US Senate in New York, adopted her husband's technique of triangulation, choosing a middle position between that of the INS and Gore. "It's not either/or," she said. "The INS made the decision, but there is a right for the parties to go into the courts." She concluded with a sanctimonious appeal that the boy's fate "not [be] made a political football," something which has clearly been going on since his rescue at sea, with the turn to the courts representing a further politicization of the affair.

Meanwhile, Sen. Robert Torricelli, D-New Jersey, a state with a sizeable Cuban exile population, has reportedly been recruited by the CANF to muster support from Congressional Democrats for keeping the boy in this country. Members in both houses of Congress have announced plans to submit legislation granting the child US citizenship in an effort to prevent his return to his family.

The case of Elian Gonzalez has laid bare the political rot that pervades all levels of government in the United States. The sickening spectacle of the political exploitation of a six-year-old child goes hand-in-hand with the reality of a right-wing exile cabal dictating policy to both major parties, influential segments of the Congress, members of the judiciary and the highest-ranking members of the executive branch.



To contact the WSWs and the Socialist Equality Party visit:

wsws.org/contact